Journal of the Senate

Number 22—Regular Session **Friday, May 2, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 10:00 a.m. A quorum present—40:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

PRAYER

The following prayer was offered by the Rev. Mercidieu Phillips, Senior Pastor of Agape Christian Fellowship, Lehigh Acres:

Eternal God, creator and sustainer of all that exists, lover of humanity, and unfailing protector of life; recognizing our limited abilities and futile wisdom, we turn to you in search of guidance and direction. We ask for your forgiveness in seeking after our own interests, rather than your face and favor, O God. Heal our hearts and heal our land.

Today, as these gifted and chosen men and women of the Senate, embark on the noble and daunting task of making sound decisions for the future of our ever-growing state, O Lord, we ask that you empower them with uncompromised wisdom, selfless understanding and a creative unity drawn from our rich diversity.

Further, my Lord, as our nation and military forge ahead, providing global leadership in an ever-changing world, we pray that you continually shower these United States of America with blessings from on high. While we recognize that we are unworthy, we appeal to your loving kindness and mercy.

As you have heard and graciously answered the earnest prayers of so many before us, we humbly ask that you would find the words of our mouth and the meditation of our hearts acceptable in your sight, O Lord, our strength and our redeemer.

We make these requests with a genuine trust in your ability to honor them according to your sovereign purpose and plan. Hear our prayers and grant us thy favor. Amen.

PLEDGE

Senate Pages Ethan C. Bell of Groveland; Alex "Sasha" Ciupalo of Tallahassee; Perla B. Fernandez of Miami; Lindsey Sanders of Tallahassee; and Katie Householder of Winter Garden, granddaughter of Senator Posey, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Lawson—

By Senators Pruitt, Alexander, Aronberg, Atwater, Baker, Bennett, Bullard, Carlton, Constantine, Crist, Dawson, Dean, Deutch, Diaz de la Portilla, Dockery, Fasano, Gaetz, Garcia, Geller, Haridopolos, Hill, Jones, Joyner, Justice, King, Lawson, Lynn, Margolis, Oelrich, Peaden, Posey, Rich, Ring, Saunders, Siplin, Storms, Villalobos, Webster, Wilson and Wise—

SR 3024—A resolution recognizing and honoring Faye W. Blanton, Secretary of the Florida Senate, on the occasion of her retirement following an outstanding career in government service to the State of Florida.

WHEREAS, Faye Blanton was elected Secretary of the Florida Senate in November 1996, the first woman to be elected to this office for a full 2-year term, and she has since been unanimously reelected to that office, and

WHEREAS, Secretary Blanton's great gifts and talents as an administrator and manager, and her deep knowledge and experience with the Florida legislative process since 1970, have kept the Senate running smoothly as the legislative workload has grown and technological complexity in the legislative process and product has increased, and

WHEREAS, Secretary Blanton served as Assistant to the Secretary of the Senate for 10 years beginning in 1974, and as Assistant Secretary from 1984 until her election as Secretary in 1996, and

WHEREAS, Secretary Blanton played an important role on the staff of the 1977-1978 Florida Constitution Revision Commission, and was Secretary and Parliamentarian of the 1997-1998 Florida Constitution Revision Commission, and

WHEREAS, Secretary Blanton has also served as a member of the Board of Directors of the Legislative Research Center and Museum, has lectured on the legislative process, and has managed many mock legislative sessions for civic, student, international, and private groups, and

WHEREAS, among her additional public service activities, she has been an adviser and counselor for Girls State, Boys State, the YMCA Youth Legislature, and the Silver-Haired Legislature, introducing many thousands of Florida residents to the legislative process, and

WHEREAS, throughout the years of her leadership in the administration of the Senate's work process, Faye Blanton has consistently earned the admiration and love of her colleagues and employees through her personal vibrancy, professionalism, kindness, compassion, and graciousness, and

WHEREAS, among Secretary Blanton's proudest accomplishments have been balancing a long and rewarding career with the Florida Senate along with a fulfilling family life; helping Senators and Senate staff

on a daily basis with procedural and other issues regarding the welfare of the Senate; working with the many Senate professional staff who have traditionally been known as "the Senate Family"; and creating the Senate Kids Web Page and the Senate Kids Handbook, and

WHEREAS, Secretary Blanton has earned the high respect and gratitude of the members of the Florida Senate throughout her 38-year career, and she will be missed more than words can say by the entire Senate Family, NOW, THEREFORE,

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

That the Florida Senate recognizes and commends Secretary Faye Blanton for her long and distinguished service to the Florida Senate and to the people of Florida, and offers her its congratulations and best wishes for a long and enjoyable retirement with her husband, Edwin F. Blanton, and their children and grandchildren.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Faye W. Blanton as a tangible token of the admiration and gratitude of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Lawson, **SR 3024** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Lawson introduced the Secretary's husband, Ed Blanton; her sons, Wade and Doug McDaniel and Doug's wife, Julie; her daughter, Laurel McDaniel; her sons, Garrett and Travis Blanton; her brother, Gerald Wester; and her niece, Elizabeth Wester who were all present in the gallery.

REMARKS

Senator Lawson: Members, this young lady who plans to retire is a young lady who has given 38 years to state government. She is a young lady that I've always admired. I have always sought her counsel. I don't know of any other individual who epitomizes what service is all about.

Many years ago, Faye Blanton taught me that it's not how much you receive in this process or in life; it's what you give. Truly, she has given to so many members. Her intellect, over the years, has helped so many of us, especially when we have been out of order and didn't know what to do. She has trained many of our presiding officers; and she has trained them well. You know what is even more important than that? You don't even realize that hundreds of thousands of students come to this chamber and Faye Blanton takes her personal time to educate them on this process, what goes on in the chamber, to give them an opportunity to be exposed to it. They are our future leaders.

We have something in common. She has a great love for growing things, like flowers, just like myself. We've had the opportunity to talk about it. In fact, the other day when she was talking to me, she asked me if I had ever considered getting a greenhouse. I told her "Well, I might need to do that because I'm having some problems." I didn't tell her, but I've been in conversation with Senator Alexander about organic farming. I am a country boy. I've always liked to see things grow. I know that Faye Blanton epitomizes all of this because she enjoys it. It's a great, relaxing experience for some of you who are in the fast lane.

I can tell you that throughout her career, I knew about her; even 26 years ago, when I was in the House. Many of my colleagues can tell you the same thing. I never really understood her true professionalism and leadership abilities until eight years ago. I tell you, she has made a major impact on my life. I certainly know that she has made the same kind of impact on your life.

What do you do after 38 years? Well, you see right now, she still looks as if she's 25. I don't know whether we will look that way after 38 years. Faye, I don't know what the future holds for you, but I do know that God's blessings will always be with you for all that you have given to the State of Florida. Young people will always remember you. I know that all of us will remember you. I don't think that anybody can ever take your place. As the Senate President said, "You are a wonderful delight."

Senator Carlton: Faye and I have gotten to know each other over the past few years; and especially over the last four to six years, rather well. I actually first got to know Faye as an employee of the Senate when I was an aide back in either 1992 or 1993. I learned Faye was someone who could give you advice in a very nice, but very direct way. She would let you know how to get things done, where you should go, who you should talk to, and how you should approach the subject matter. I grew to really depend on her as a checkpoint on many things.

Through the years we would gather in her office, sit at her table, and talk about many different things—family, children, the woes of the world. We would ponder them and, of course, resolve them in that same conversation. Then the next time we would move on to another subject, ponder that, and resolve that, as well. I have enjoyed our chats over the years. I have enjoyed getting to know her.

Secretary Blanton is someone who learned this process, literally, from the ground up. That's a really, important thing for someone to know. She doesn't just leave this office. She knows everything that goes on and she never lets on about that. She has a hand in making sure that our jobs flow smoothly out here, that there are no kinks or bumps in the road. For all of that, Faye, we are so grateful.

Over 38 years there has been a lot of transition in the way we conduct business on this floor. Many times, people get in positions and like the status quo. Faye was a real innovative person, a person willing to change with the times. When she first started, the amendments were piled up on our desks about this high and you had to read through them. Senators Webster, Geller, King, and Jones—you remember when the amendments would all come in and would be thrown on your desk. You had a little sign that said "Amendments" and they would be literally up to here by the end of session and thrown all over the floor. It takes someone who has respect for the institution and the process, yet, is willing to change. Now, you see these fancy little computers, the Committee and Chamber Automation System, bill filing and all of that. Faye had a hand in all of it. Really Faye, most of us will never know how much you have contributed to this institution because you have done it in your quiet way, in your reserved way. You have pushed us along and made the process better. For that we say thank you.

Faye, after 38 years, we know that it's going to be a transition in your life. I think that your staff has a word for some things you do around the office—"FBIs", otherwise known as, "Faye's Bright Ideas." I'm sure that you have some "FBIs" for your family, your children, and grandchildren. I'm sure that you have been thinking of and keeping a list of "FBIs" that you can do once you leave us. Godspeed and God bless.

President Pruitt: Madame Secretary, on behalf of a grateful and thankful Florida Senate, we want to present to you a framed copy of the Senate Resolution as well as a beautiful photo of Secretary Blanton.

As a freshman Senator, the first person I came to introduce myself to was Faye Blanton. I asked her "After being in the House for 10 years, how do I become a Senator?" Faye Blanton would sit down with you and share the history and decorum of the Senate. Faye, thank you for carrying on those traditions of the Florida Senate with dignity and honor. We are thankful for you and your service.

By the direction of the President, the Sergeant At Arms escorted Secretary Blanton to the rostrum where the President presented her with a framed copy of the resolution.

Secretary Blanton: President Pruitt, Madam Co-President Carlton, President King, President Margolis, Majority Leader Webster, Minority Leader Geller, and Senator Lawson. Thank you, to all of you, Senators. It has been an honor to serve you, the presidents and hundreds of Senators before you; and to serve with the hundreds of dedicated and professional staff of the Senate for all these years.

I was in awe the first day I walked into the Florida Senate. I was in the Holland Building, and I remain in awe of this institution. I am proud to have had the opportunity to be here, ever so briefly, in the history of the Senate, and to play a small part as its traditions have withstood the test of time.

I would like to publicly thank President Toni Jennings for giving me the first opportunity to serve as Secretary of this Senate. I would like to thank my family for their support, patience, and understanding when I was not there for them. I appreciate that all of my children, my husband, my brother, and my niece are here in the gallery today. The seven grandchildren they have given me could not be here because of more pressing matters—they are not here because they are napping or in

school. They are the joy of my life and God has truly blessed me with these precious little ones.

You have already recognized the Professional Staff of the Secretary's Office but what I really want you to know is that they are the Dream Team. My approach, as long as I have worked here, has always been that we are a team. I am so indebted to them for all that they do, have done, and will do for the Senate. Senators, I leave you with a talented staff that is committed to this institution.

Finally Senators, I would like to apologize for my annoying "Quorum calls" which you will no longer have to listen to. I just want you to know that the President made me do it!

Thank you, Senators. All of you, and the Senate, will forever be in my heart. I love you all. Thank you for the honor to have served you.

On motion by Senator Webster—

By Senator Webster—

SR 3026—A resolution recognizing the first day of Hurricane Season, June 1, 2008, as a day of prayer.

WHEREAS, throughout our history, our Nation has turned to prayer for strength and guidance in times of challenge and uncertainty, and

WHEREAS, past presidents, including President George Washington, President Abraham Lincoln, and others, have called for a day of prayer at times of crisis and disaster, and

WHEREAS, our first President wrote in 1790, "May the father of all mercies scatter light and not darkness in our paths," and

WHEREAS, as we face the challenges of our own times, God's purpose continues to guide us, and we continue to trust in the goodness of His plans, and

WHEREAS, we have been warned by leading forecasters to expect several major storms this season, and

WHEREAS, our preparations can protect against hurricanes but cannot influence the strength or frequency with which they occur, and

WHEREAS, in addition to these preparations, the residents of this state are in need of protection, NOW, THEREFORE,

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

That, in recognition of the first day of Hurricane Season, June 1, 2008, the Senate calls upon the residents of this state to pray that God will have mercy on our state and protect us from harm.

—was introduced out of order and read by title. On motion by Senator Webster, **SR 3026** was read the second time in full and adopted.

At the request of Senator Bullard—

By Senator Bullard—

SR 1366—A resolution recognizing Eugene C. Badger for his lifetime accomplishments in agricultural leadership and service to the residents of Florida.

WHEREAS, Eugene C. Badger was born July 30, 1928, in rural St. Johns County near Hastings and was raised sharing responsibilities on his family's potato farm while attending St. Johns County public schools, and

WHEREAS, his leadership qualities emerged early when he became an officer of the Hastings Chapter of Future Farmers of America, and he showed FFA Grand Champion steers in the southeast in 1944 and 1945, and

WHEREAS, working summers as a migrant farm worker in four states during the farm labor shortage during World War II, Mr. Badger graduated from Hastings High School in 1946 and then earned his B.S.A. degree in Agricultural Economics and Education at the University of Florida in 1949, then working as a teacher of vocational agriculture in Palatka, Florida, from 1949 to 1951, and

WHEREAS, Mr. Badger then entered military service and graduated from the U.S. Marine Corps's Special Basic School in 1952, served in Japan and Korea, and received an Honorable Discharge as Captain, and

WHEREAS, in 1955 he married the former Irma McCollum and their marriage produced four daughters, all of whom have gone on to study at the University of Florida and all of whom have attained postgraduate degrees in various fields, and

WHEREAS, Mr. Badger's career has been marked by personal success in the area of farm bureau insurance and by significant service to farmers and the farm industry in Florida through regional and statewide organizations, and

WHEREAS, his many leadership roles include directing the Putnam-St. Johns Farm Bureau and serving on its property rights committee as it worked with Florida legislators; serving as Director of the Florida Poultry Association; serving on committees working to improve federal crop insurance for sweet corn and other crops; and serving as State Executive Director of the Agricultural Stabilization and Conservation Service, and

WHEREAS, Eugene Badger also serves on the Everglades Research Center Advisory Committee, the Board of Directors of the Florida Agricultural Hall of Fame, and the Board of Directors of Alpha Gamma Rho Educational Foundation, in addition to his participation in numerous civic and professional associations, NOW, THEREFORE,

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

That the Florida Senate recognizes and honors the accomplishments and service of Eugene C. Badger in the vital fields of agriculture, agribusiness, and governmental relations with Florida's farmers and farm industry.

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

—**SR 1366** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1740—A resolution expressing affection for and gratitude to all fathers.

WHEREAS, in 1909 Sonora Smart Dodd of Spokane, Washington, first had the idea of a "father's day" while listening to a Mother's Day sermon, and

WHEREAS, Sonora Dodd realized the strength, courage, and selflessness her father had shown in raising his children as a single parent, and thus chose to hold the first Father's Day celebration in Spokane, Washington, on the 19th of June, 1910, and

WHEREAS, in early times, wearing flowers was a traditional way of celebrating Father's Day, and

WHEREAS, in 1924, President Calvin Coolidge recognized Father's Day as a national event to "establish more intimate relations between fathers and their children and to impress upon fathers the full measure of their obligations," and

WHEREAS, in 1926, a National Father's Day Committee was formed in New York City, resulting in a Joint Resolution of Congress in 1956 recognizing Father's Day, and President Richard Nixon signed the law that finally made Father's Day a permanent holiday in 1972, and

WHEREAS, Sunday, June 15, 2008, has been designated as Father's Day in the United States, and

WHEREAS, the American tradition of a productive society and a secure home has depended in great part on the hard work and sacrifice of

fathers who tirelessly seek for their children a better life and greater opportunity than they themselves have known, and

WHEREAS, fulfilling the demanding roles of fatherhood, as provider, teacher, role model, comforter, and protector, is an act of true heroism in today's world, and

WHEREAS, each new generation looks to its fathers for courage, strength, and understanding, and

WHEREAS, the enduring affection between fathers and their families is recognized and appreciated as one of the most positive elements upon which our future as a nation depends, and

WHEREAS, it is fitting and appropriate that the members and staff of the Florida Senate recognize the immeasurable debt of gratitude owed to fathers for their strength, guidance, understanding, and love, NOW, THEREFORE,

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

That the members of the Senate do hereby express to their own fathers and to all fathers, on behalf of the people of the State of Florida, personal affection and heartfelt gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all fathers.

—**SR 1740** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1960—A resolution expressing gratitude and affection to all mothers.

WHEREAS, Anne Jarvis, a young Appalachian homemaker, organized women throughout the Civil War to work for better sanitation conditions, and in 1868 continued her efforts by designating "Mothers' Work Days" for improving sanitation, and

WHEREAS, Social Activist Julia Ward Howe, Boston poet, pacifist, suffragist, and author of the lyrics to the "Battle Hymn of the Republic," influenced by Anne Jarvis's sanitation initiative, conceived the idea during the Civil War of calling all women to unite against the war, organized a day encouraging mothers to rally for peace, and wrote a Mother's Day proclamation in 1870 calling for peace and disarmament, and

WHEREAS, Julia Ward Howe failed to get formal recognition of a Mother's Day for Peace, and after Anne Jarvis's passing on May 9, 1905, her daughter Anna Jarvis took up the efforts to establish a day recognizing mothers, and

WHEREAS, as a result of Anna Jarvis's crusade, the first Mother's Day was celebrated in Grafton, West Virginia, on May 10, 1908, to commemorate the anniversary of her mother's passing, and

WHEREAS, the Mother's Day custom eventually spread to 45 other states, and President Woodrow Wilson declared the first national Mother's Day on May 14, 1914, and

WHEREAS, the highest ideals and noblest principles of humanity find their most exemplary expression in the sacrifice and devotion of mothers, and no sincere human being can deny the importance of a mother in the life of a child, and

WHEREAS, mothers exemplify enduring courage and conviction, are characterized by unconditional love for their children, and serve as the anchors that bond families, and

WHEREAS, a mother is a gift bestowed on man, never more dear than when bringing forth life in the form of a child, and

WHEREAS, it is proper that the members and staff of the Florida Senate recognize the great debt of gratitude owed to all mothers for their strength, guidance, understanding, and love, NOW, THEREFORE,

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

That the members of the Senate do hereby express to their own mothers and to all mothers, on behalf of the people of the State of Florida, personal affection and heartfelt gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all mothers.

—**SR 1960** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 2958—A resolution recognizing Paul Polizzotto, renowned environmentalist.

WHEREAS, Paul Polizzotto developed a love of water as a surfer in Manhattan Beach, California, and, troubled by the polluted water that made him and fellow surfers sick, launched his first green business, Property Prep, in 1989, after graduating from the University of California, Los Angeles, and

WHEREAS, Property Prep provided environmental cleaning services to assist industries in complying with stormwater laws by using a Zero Discharge process, a ground-breaking method developed to reduce the flow of pollutants into stormwater drain systems that feed into lakes, rivers, and the ocean, and

WHEREAS, Paul Polizzotto's state and local activism in environmental issues led him to create Adopt-a-Waterway (formerly Adopt-a-Stormdrain), after discovering that local governments were aware of which pollution mitigation systems were required to clean up their waterways but lacked adequate funding to implement them, and

WHEREAS, Adopt-a-Waterway provides funding and resources to clean the world's waters, the earth's most precious natural resource and, due to this great innovation and pioneering achievement, Paul Polizzotto earned recognition from the United States Environmental Protection Agency as an "Environmental Hero," and

WHEREAS, building on his earlier successes, Paul Polizzotto founded EcoMedia, the world's premier environmental media company, which uses corporate advertising dollars to fund local environmental programs, and through EcoZone, EcoMedia's flagship program, provides funding for fiscally constrained local governments to help them meet federal and state regulations mandating clean air, water, and energy, and

WHEREAS, EcoZone has joined with the City of Miami to launch EcoZone Miami, a public-private environmental partnership that will fund and support the "Greening of Miami" projects and initiatives of Miami Mayor Manny Diaz, including the City Hall Energy Efficiency Project, the Miami Green Lab, the Miami Baywash Program, the GlobeTech Catch Basin Insert Filter Installation project, and the Miami Tree Canopy Initiative, NOW, THEREFORE,

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

That the Florida Senate recognizes and commends the outstanding leadership and support to environmental rebuilding demonstrated by Paul Polizzotto.

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

—**SR 2958** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 2968—A resolution recognizing October 2008 as "Breast Cancer Awareness Month" in Florida.

WHEREAS, breast cancer is the third most frequently diagnosed cancer and is ranked third among cancer deaths in women in the United States, and

WHEREAS, Florida ranks second in the nation for total number of breast cancer deaths and fourth in the nation for total number of new breast cancer cases, and

WHEREAS, all women are at risk for breast cancer and the single most important risk factor is age, such that breast cancers predominantly occur in women age 50 and older, and the risk increases with age until age 80, and

WHEREAS, the American Cancer Society estimates that more than 11,850 new cases of invasive breast cancer in Florida will be diagnosed, and approximately 2,760 women will die of the disease, during the year 2008, and

WHEREAS, a woman living in Florida has a one-in-eight chance of developing breast cancer, and

WHEREAS, breast cancer is the second most common cause of cancer death in white, African American, Asian American, and American Indian women, and the first most common among Hispanic women living in the United States, and

WHEREAS, early detection, through routine clinical exams and mammography screening beginning at age 40 in compliance with the American Cancer Society recommended guidelines, is the key to detecting breast cancer at its earliest stages, and

WHEREAS, the 5-year survival rate for breast cancer, if the disease is found in its earliest stages, is 98 percent, but drops down to 26.7 percent if the cancer is detected late, in a stage of metastases, and

WHEREAS, in conjunction with the promotion of October as "Breast Cancer Awareness Month," breast cancer awareness programs, such as the American Cancer Society's Reach to Recovery program, will promote early breast cancer detection through regular screening, NOW, THEREFORE,

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

That the Florida Senate recognizes the month of October 2008 as "Breast Cancer Awareness Month" in Florida and urges all women to understand the risks associated with breast cancer, to take preventive steps to minimize those risks, and to undergo early detection procedures such as mammography and compliance with the American Cancer Society's recommended breast cancer screening guidelines.

—**SR 2968** was introduced, read and adopted by publication.

At the request of Senator Aronberg—

By Senator Aronberg—

SR 2970—A resolution recognizing the important purpose and goals of the American Veterans Disabled for Life Memorial.

WHEREAS, the mission of the Disabled Veterans' LIFE Memorial Foundation, Inc., is to raise the funds necessary to design and construct a memorial dedicated to American servicemen and servicewomen who have returned from war with life-altering disabilities, and

WHEREAS, the Disabled Veterans' LIFE Memorial Foundation, Inc., was established in 1998 through the combined efforts of philanthropist Lois Pope, Foundation Chairman; Mr. Arthur Wilson, National Adjutant of the Disabled American Veterans organization and Foundation President; and the late Jesse Brown, former Secretary of Veterans Affairs and the Foundation's first Executive Director, and

WHEREAS, the U.S. Congress approved this national memorial to be built in Washington D.C. with the passage of Public Law 106-348, an act sponsored by Senators John McCain and Max Cleland and by Representatives Sam Johnson and Jack Murtha, and

WHEREAS, the American Veterans Disabled for Life Memorial will command an impressive 2-acre site within full view of the U.S. Capitol and will be constructed of marble and glass, conveying an interplay of strength and vulnerability, loss and renewal, and

WHEREAS, at this sacred spot, all of us - parents, sons and daughters, wives, husbands, friends, and citizens - can bear witness to the courage, sacrifice, tenacity, loyalty, and honor demonstrated by our soldiers permanently injured in battle, and

WHEREAS, the Memorial will hold a special place in the hearts of all Americans, and will serve as a never-ending reminder to all of the cost of human conflict, and will be dedicated to both living and deceased veterans who have been disabled for life in military service, and

WHEREAS, the American Veterans Disabled for Life Memorial will express America's lasting gratitude to the men and women whose lives have been forever changed in service to our country and to their families and friends, transcending individual wars and conflicts, service branches, and generations, and share in their struggles to face lives harshly compromised by war, NOW, THEREFORE,

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

That the Disabled Veterans' LIFE Memorial Foundation, Inc., is commended for its vision in seeking to build this important memorial - the American Veterans Disabled for Life Memorial - and encourage and support efforts to raise funds for its construction.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Disabled Veterans' LIFE Memorial Foundation, Inc., as a tangible token of the sentiments of the Florida Senate.

—**SR 2970** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 3000—A resolution honoring Florida author Alex Flinn.

WHEREAS, Alex Flinn is the author of seven novels for young people which have been widely acclaimed by reviewers across the United States, and

WHEREAS, many of her books have made the American Library Association's "Best Books for Young Adults" list, as well as "Quick Picks for Reluctant Young Adult Readers," intended for teens who might not be eager to read, and

WHEREAS, three of Alex Flinn's books - "Breathing Underwater," "Nothing to Lose," and "Fade to Black" - have received such teen-selected honors as being named to the International Reading Association's Young Adult Choices list, and

WHEREAS, Alex Flinn's books have also been nominated for state awards, "Breathing Underwater" won the Maryland Black-Eyed Susan Award in 2004, and "Beastly" is nominated for the 2009 Lone Star State (Texas) Award, and

WHEREAS, Alex Flinn's novels, in hardcover and paperback, have sold hundreds of thousands of copies throughout North America, and her books have been translated into many foreign languages and sold internationally, and

WHEREAS, few writers for young people have captured so well the images of contemporary Florida, both the Florida of dreams and the reality of its cosmopolitan population, and her newest novel, "A Kiss in Time," set in the glamorous Florida of today, will be published nationally by Harper Collins in 2009, and

WHEREAS, Alex Flinn's profound concern for today's young people and the often torturous choices they must make to meet society's demands are unique in the publishing industry, and her ability to address the role of the arts in young people's lives is part of her passionate message, and

WHEREAS, Alex Flinn's novels appeal to teens who are not already avid readers and thus open up the world of reading to innumerable young Floridians, NOW, THEREFORE,

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

That the Senate honors and commends the literary accomplishments of Alex Flinn and applauds in particular her ability to reach young people through novels that confront and help them meet the issues and challenges in their lives.

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

—**SR 3000** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 3002—A resolution honoring Dr. Bradford E. Brown, civil rights activist, trailblazer, and community leader.

WHEREAS, Dr. Bradford E. Brown received his Bachelor of Science degree from Cornell University, his Master of Science degree from Auburn University, and his Ph.D from Oklahoma State University, developing his research expertise in statistics and quantitative assessments of the effects of fishing on marine resources, and

WHEREAS, Dr. Brown has worked extensively in an effort to increase the diversity of the fisheries profession, was awarded the mentorship award by the Equal Opportunity Section of the American Fisheries Society, and has received significant recognition for his work with Historically Black Colleges and Universities in expanding opportunities in marine science, and

WHEREAS, Dr. Brown is currently under contract with the National Oceanic and Atmospheric Administration to provide technical assistance to the United Nations Development Program-World Bank Global Environmental Facility Large Marine Ecosystem projects in Africa and the Caribbean, and

WHEREAS, with a 43-year track record of civil rights activism, Dr. Brown served as Vice President of the New England State Conference of Branches of the National Association for the Advancement of Colored People (NAACP); served two terms as President of the Miami-Dade NAACP; and is currently the First Vice President of, and served on three different State Advisory Committees to, the United States Civil Rights Commission, chairing both the Massachusetts and Florida committees, and

WHEREAS, Dr. Brown is a past chair of the Miami-Dade Community Relations Board and currently co-chairs its Police-Community Working Group; was a Board member of the Metro Miami Action Plan Trust (MMAP) and served as its Vice Chair; is a member of the Board of Directors for HOPE, Inc., Miami-Dade's fair housing organization; served on the Bi-Tri Committee, advising the Federal Judge on Dade School desegregation; and is now on the School Board committee on Diversity, Equity, and Excellence, and

WHEREAS, Dr. Brown is a member and Deacon of the Church of the Open Door in Liberty City, is a 23-year resident of the South Dade community, and is a member of the King of Clubs of Greater Miami, the oldest African-American based service club in Miami-Dade County, and

WHEREAS, Dr. Brown and his wife, Mable Brown, have one son, Jabari Brown, a graduate of Miami-Dade Public Schools and now a student at Tufts University, NOW, THEREFORE,

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

That the Florida Senate recognizes the achievements, dedication, and leadership of Dr. Bradford E. Brown in his scientific profession and as a civil rights activist, trailblazer, and community leader.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. Bradford E. Brown as a tangible token of the sentiments of the Florida Senate.

—**SR 3002** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 3018—A resolution commending Representative Edward B. Bullard for his longstanding public service and many valuable contributions to this state.

WHEREAS, State of Florida Representative Edward B. Bullard was born on November 28, 1943, on the island of Nassau in the Bahamas to Mr. and Mrs. Cyril and Violet Bullard, and

WHEREAS, the Bullard family migrated in 1954 to historic Richmond Heights, Florida, a community that cultivated his interests and where he still resides, and

WHEREAS, during his early years Representative Bullard served as a paper boy and, as he delivered the paper daily, enjoyed talking to the community's elders and leaders, many of whom he continues to mingle and talk with today, and

WHEREAS, upon graduating from Mays High School, Representative Bullard entered the United States Army in which he served until 1969 and then enrolled at Florida Agricultural and Mechanical University where he graduated with a Bachelor's of Science degree in Education and later earned a Master's of Science degree from Florida Agricultural and Mechanical University and Nova University respectively, and

WHEREAS, he then returned to Richmond Heights as a probation and parole officer and later to teach in the Miami-Dade County public school system, where he was honored as the "Teacher of the Year," and served for approximately 34 years as a teacher and school administrator, fighting for educational initiatives and instructing many of the children and grandchildren of the community elders with whom he grew up and tossed papers to, and

WHEREAS, in 1983 he married Larcenia Dunbar and has enjoyed 25 years of marital bliss and is the proud father of Vincent, Deneen, Dwight, and Edwinalynn, accepting the title of Mr. Mom while his wife, then Representative Larcenia Bullard, served in the Florida House of Representatives, and

WHEREAS, wanting to make a difference in the state, Representative Bullard succeeded his wife's lead and ran for her vacated seat in the House of Representatives, and

WHEREAS, Representative Bullard served for 2 years until his wife was elected as State Senator for District 39, making them the first previously married couple to serve in the Florida Legislature at the same time, appear on the same ballot, and serve in the same legislature body for 3 consecutive years in the United States and possibly the world, and be honored by the Tallahassee Democrat on Valentine's Day in 2004 with a feature article titled "Two Houses One Home," and

WHEREAS, Representative Bullard is a proud member of the 5000 Role Models of Excellence, American Legion Post 182, Collegian Club, Community Partnership for the Homeless, Democratic Power, Elks Lodge 1078, FAMU Alumni Association, Florida Association of Alternative School Educators, Friends of Florida Park System, Homestead-Florida City Democratic Club, King of Clubs, Miami-Dade County Democratic Club, and the NAACP; a past Keeper of Records of the Kappa Alpha Psi Fraternity Inc.; a life member of the Richmond Heights Crime Watch, Richmond Heights Homeowners Association, and American Federation of School Administrators; a past Vestry member of the Church of Ascension and Community Concert Association; and a past Board Member of the Zoological Society, and

WHEREAS, after serving four consecutive terms, Representative Bullard will soon depart his office due to term limits, NOW, THEREFORE,

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

That this body commends Representative Bullard for his longstanding public service and appreciates his many valuable contributions to the residents of this state.

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

—**SR 3018** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 3022—A resolution recognizing John B. Rogers, Jr., on the occasion of his retirement as Superintendent of the Santa Rosa County School District.

WHEREAS, John B. Rogers, Jr. will retire this year as Superintendent of the Santa Rosa County School District after a distinguished and progressive career spanning 33 years as a teacher, coach, principal, district administrator, and school superintendent, and

WHEREAS, during his 8-year tenure as superintendent from 2000 to 2008, Santa Rosa schools continued a decades-long tradition of excellence and achieved historic and unsurpassed academic accomplishments, and

WHEREAS, during Superintendent Rogers' terms in office, Santa Rosa students became the highest performing readers in Florida history, breaking every record for progress and proficiency, and

WHEREAS, under Mr. Rogers' leadership, the Santa Rosa County School District has been an "A" district every year and has consistently ranked among the top four districts in the state, with 85 percent of Santa Rosa's graded schools earning an "A" and the remaining 15 percent scoring a "B" or a "C" in 2007, the best overall quality ratings in the school district's history, and

WHEREAS, while Superintendent of Schools, Mr. Rogers has developed innovative and progressive academic programs including an on-line high school, virtual learning academies for on-line professional development, and high school academies for carpentry, automotives, and information technology, and

WHEREAS, Mr. Rogers' financial stewardship of the public's resources has been exemplary as well, earning the confidence and support of the public for continuing by referendum a half-cent sales tax for schools, building three new schools and more than 100 new classrooms and ancillary facilities, and dramatically reducing dependence on portable buildings, and

WHEREAS, Superintendent Rogers' superlative management resulted in the Harvard University School of Education's designation of the Santa Rosa schools as an exemplary national case study in learning successes and administrative leadership, NOW, THEREFORE,

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

That the Senate extends heartfelt appreciation to John B. Rogers, Jr., for a lifetime of service to the people of Santa Rosa County and to their children and commends him for his professional achievements in public education.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to John B. Rogers, Jr., as a tangible token of the esteem of the Florida Senate.

—**SR 3022** was introduced, read and adopted by publication.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2534, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 2534—A bill to be entitled An act relating to health insurance; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation; amending s. 409.814, F.S.; revising the eligibility requirements for participation in the Medikids program or the Florida Healthy Kids program; deleting certain limitations; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; amending s. 627.6699, F.S.; redefining the term "small employer" for purposes of the Employee Health Care Access Act; providing an effective date.

House Amendment 1 (364545)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (2) of section 112.363, Florida Statutes, is amended to read:

112.363 Retiree health insurance subsidy.—

(2) ELIGIBILITY FOR RETIREE HEALTH INSURANCE SUBSIDY.—

(d) Payment of the retiree health insurance subsidy shall be made only after coverage for health insurance for the retiree or beneficiary has been certified in writing to the Department of Management Services. Participation in a former employer's group health insurance program is not a requirement for eligibility under this section. *Coverage issued pursuant to s. 408.9091 is considered health insurance for the purposes of this section.*

Section 2. Subsections (5) and (10) of section 408.909, Florida Statutes, are amended to read:

408.909 Health flex plans.—

(5) ELIGIBILITY.—Eligibility to enroll in an approved health flex plan is limited to residents of this state who:

(a)*1.* Are 64 years of age or younger;

2.~~(b)~~ Have a family income equal to or less than *300*~~200~~ percent of the federal poverty level;

~~(c) Are eligible under a federally approved Medicaid demonstration waiver and reside in Palm Beach County or Miami-Dade County;~~

3. ~~(d)~~ Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare or Medicaid, ~~unless specifically authorized under paragraph (e),~~ or another public health care program, such as Kidcare, and have not been covered at any time during the past 6 months*, except that:*

a. A person who was covered under an individual health maintenance contract issued by a health maintenance organization licensed under part I of chapter 641 that also was an approved health flex plan on October 1, 2008, may apply for coverage in the same health maintenance organization's health flex plan without a lapse in coverage if all other eligibility requirements are met; or

b. A person who was covered under Medicaid or Kidcare and lost eligibility for the Medicaid or Kidcare subsidy due to income restrictions within 90 days prior to applying for health care coverage through an approved health flex plan may apply for coverage in a health flex plan without a lapse in coverage if all other eligibility requirements are met; and

4.~~(e)~~ Have applied for health care coverage *as an individual* through an approved health flex plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided*; or*

(b) Are part of an employer group at least 75 percent of the employees of which have a family income equal to or less than 300 percent of the federal poverty level and which employee group is not covered by a private health insurance policy and has not been covered at any time during the past 6 months. If the health flex plan entity is a health insurer, health plan, or health maintenance organization licensed under Florida law, only 50 percent of the employees must meet the income requirements for the purpose of this paragraph.

(10) EXPIRATION.—This section expires July 1, *2013* ~~2008~~.

Section 3. Section 408.9091, Florida Statutes, is created to read:

408.9091 Cover Florida Health Care Access Program.—

(1) SHORT TITLE.—This section may be cited as the "Cover Florida Health Care Access Program Act."

(2) LEGISLATIVE INTENT.—The Legislature finds that a significant number of state residents are unable to obtain affordable health insurance coverage. The Legislature also finds that existing health flex plan coverage has had limited participation due in part to narrow eligibility restrictions as well as minimal benefit options for catastrophic and emergency care coverage. Therefore, it is the intent of the Legislature to expand the availability of health care options for uninsured residents by developing an affordable health care product that emphasizes coverage for basic and preventive health care services; provides inpatient hospital, urgent, and emergency care services; and is offered statewide by approved health insurers, health maintenance organizations, health-care-provider-sponsored organizations, or health care districts.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Agency" means the Agency for Health Care Administration.

(b) "Cover Florida plan" means a consumer choice benefit plan approved under this section that guarantees payment or coverage for specified benefits provided to an enrollee.

(c) "Cover Florida plan coverage" means health care services that are covered as benefits under a Cover Florida plan.

(d) "Cover Florida plan entity" means a health insurer, health maintenance organization, health-care-provider-sponsored organization, or health care district that develops and implements a Cover Florida plan and is responsible for administering the plan and paying all claims for Cover Florida plan coverage by enrollees.

(e) "Cover Florida Plus" means a supplemental insurance product, such as for additional catastrophic coverage or dental, vision, or cancer coverage, approved under this section and offered to all enrollees.

(f) "Enrollee" means an individual who has been determined to be eligible for and is receiving health insurance coverage under a Cover Florida plan.

(g) "Office" means the Office of Insurance Regulation of the Financial Services Commission.

(4) PROGRAM.—The agency and the office shall jointly establish and administer the Cover Florida Health Care Access Program.

(a) General Cover Florida plan components must require that:

1. Plans are offered on a guaranteed-issue basis to enrollees, subject to exclusions for preexisting conditions approved by the office and the agency.

2. Plans are portable such that the enrollee remains covered regardless of employment status or the cost-sharing of premiums.

3. Plans provide for cost containment through limits on the number of services, caps on benefit payments, and copayments for services.

4. A Cover Florida plan entity makes all benefit plan and marketing materials available in English and Spanish.

5. In order to provide for consumer choice, Cover Florida plan entities develop two alternative benefit option plans having different cost and benefit levels, including at least one plan that provides catastrophic coverage.

6. Plans without catastrophic coverage provide coverage options for services including, but not limited to:

a. Preventive health services, including immunizations, annual health assessments, well-woman and well-care services, and preventive screenings such as mammograms, cervical cancer screenings, and noninvasive colorectal or prostate screenings.

b. Incentives for routine preventive care.

c. Office visits for the diagnosis and treatment of illness or injury.

d. Office surgery, including anesthesia.

e. Behavioral health services.

f. Durable medical equipment and prosthetics.

g. Diabetic supplies.

7. Plans providing catastrophic coverage, at a minimum, provide coverage options for all of the services listed under subparagraph 6.; however, such plans may include, but are not limited to, coverage options for:

a. Inpatient hospital stays.

b. Hospital emergency care services.

c. Urgent care services.

d. Outpatient facility services, outpatient surgery, and outpatient diagnostic services.

8. All plans offer prescription drug benefit coverage or use a prescription drug manager such as the Florida Discount Drug Card Program.

9. Plan enrollment materials provide information in plain language on policy benefit coverage, benefit limits, cost-sharing requirements, and exclusions and a clear representation of what is not covered in the plan. The Cover Florida Health Care Access Program shall require the following disclosure to be reviewed and executed by all consumers purchasing program options or insurance coverage through the program: "In connection with the Cover Florida Health Care Access Program authorized by s. 408.9091, Florida Statutes, agents and entities offering products and services under the program shall inform the named insured, applicant, or subscriber, on a form approved by the Office of Insurance Regulation of the Financial Services Commission, that the program is not an insurance program or, if it is an insurance program, that benefits under the coverage are limited under s. 408.9091, Florida Statutes, and that such coverage is an alternative to coverage without such limitations.

10. Plans offered through a qualified employer meet the requirements of s. 125 of the Internal Revenue Code.

(b) Guidelines shall be developed to ensure that Cover Florida plans meet minimum standards for quality of care and access to care. The agency shall ensure that the Cover Florida plans follow standardized grievance procedures.

(c) Changes in Cover Florida plan benefits, premiums, and policy forms are subject to regulatory oversight by the office and the agency as provided under rules adopted by the Financial Services Commission and the agency.

(d) The agency, the office, and the Executive Office of the Governor shall develop a public awareness program to be implemented throughout the state for the promotion of the Cover Florida Health Care Access Program.

(e) Public or private entities may design programs to encourage Floridians to participate in the Cover Florida Health Care Access Program or to encourage employers to cosponsor some share of Cover Florida plan premiums for employees.

(5) PLAN PROPOSALS.—The agency and the office shall announce, no later than July 1, 2008, an invitation to negotiate for Cover Florida plan entities to design a Cover Florida plan proposal in which benefits and premiums are specified.

(a) The invitation to negotiate shall include guidelines for the review of Cover Florida plan applications, policy forms, and all associated forms and provide regulatory oversight of Cover Florida plan advertisement and marketing procedures. A plan shall be disapproved or withdrawn if the plan:

1. Contains any ambiguous, inconsistent, or misleading provisions or any exceptions or conditions that deceptively affect or limit the benefits purported to be assumed in the general coverage provided by the plan;

2. Provides benefits that are unreasonable in relation to the premium charged or contains provisions that are unfair or inequitable, that are contrary to the public policy of this state, that encourage misrepresentation, or that result in unfair discrimination in sales practices;

3. Cannot demonstrate that the plan is financially sound and that the applicant is able to underwrite or finance the health care coverage provided;

4. Cannot demonstrate that the applicant and its management are in compliance with the standards required under s. 624.404(3); or

5. Does not guarantee that enrollees may participate in the Cover Florida plan entity's comprehensive network of providers, as determined by the office, the agency, and the contract.

(b) The agency and the office may announce an invitation to negotiate for the design of Cover Florida Plus products to companies that offer supplemental insurance, discount medical plan organizations licensed under part II of chapter 636, or prepaid health clinics licensed under part II of chapter 641.

(c) The agency and office shall approve at least one Cover Florida plan entity having an existing statewide network of providers and may approve at least one regional network plan in each existing Medicaid area.

(6) LICENSE NOT REQUIRED.—

(a) The licensing requirements of the Florida Insurance Code and chapter 641 relating to health maintenance organizations do not apply to a Cover Florida plan approved under this section unless expressly made applicable. However, for the purpose of prohibiting unfair trade practices, Cover Florida plans are considered to be insurance subject to the applicable provisions of part IX of chapter 626 except as otherwise provided in this section.

(b) Cover Florida plans are not covered by the Florida Life and Health Insurance Guaranty Association under part III of chapter 631 or by the Health Maintenance Organization Consumer Assistance Plan under part IV of chapter 631.

(7) ELIGIBILITY.—Eligibility to enroll in a Cover Florida plan is limited to residents of this state who meet all of the following requirements:

(a) Are between 19 and 64 years of age, inclusive.

(b) Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare, Medicaid, or Kidcare, unless eligibility for coverage lapses due to no longer meeting income or categorical requirements.

(c) Have not been covered by any health insurance program at any time during the past 6 months, unless coverage under a health insurance program was terminated within the previous 6 months due to:

1. Loss of a job that provided an employer-sponsored health benefit plan;

2. Exhaustion of coverage that was continued under COBRA or continuation-of-coverage requirements under s. 627.6692;

3. Reaching the limiting age under the policy; or

4. Death of, or divorce from, a spouse who was provided an employer-sponsored health benefit plan.

(d) Have applied for health care coverage through a Cover Florida plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided.

(8) RECORDS.—Each Cover Florida plan must maintain enrollment data and provide network data and reasonable records to enable the office and the agency to monitor plans and to determine the financial viability of the Cover Florida plan, as necessary.

(9) NONENTITLEMENT.—Coverage under a Cover Florida plan is not an entitlement, and a cause of action does not arise against the state, a local government entity, any other political subdivision of the state, or the agency or the office for failure to make coverage available to eligible persons under this section.

(10) PROGRAM EVALUATION.—The agency and the office shall:

(a) Evaluate the Cover Florida Health Care Access Program and its effect on the entities that seek approval as Cover Florida plans, on the number of enrollees, and on the scope of the health care coverage offered under a Cover Florida plan.

(b) Provide an assessment of the Cover Florida plans and their potential applicability in other settings.

(c) Use Cover Florida plans to gather more information to evaluate low-income, consumer-driven benefit packages.

(d) Jointly submit by March 1, 2009, and annually thereafter, a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives that provides the information specified in paragraphs (a)-(c) and recommendations relating to the successful implementation and administration of the program.

(11) RULEMAKING AUTHORITY.—The agency and the Financial Services Commission may adopt rules pursuant to ss. 120.536(1) and 120.54 as needed to administer this section.

Section 4. Section 408.910, Florida Statutes, is created to read:

408.910 Florida Health Choices Program.—

(1) LEGISLATIVE INTENT.—The Legislature finds that a significant number of the residents of this state do not have adequate access to affordable, quality health care. The Legislature further finds that increasing access to affordable, quality health care will be best accomplished by establishing a competitive market for purchasing health insurance and health services. It is therefore the intent of the Legislature to create the Florida Health Choices Program to:

(a) Expand opportunities for Floridians to purchase affordable health insurance and health services.

(b) Preserve the benefits of employment-sponsored insurance while easing the administrative burden for employers who offer these benefits.

(c) Enable individual choice in both the manner and amount of health care purchased.

(d) Provide for the purchase of individual, portable health care coverage.

(e) Disseminate information to consumers on the price and quality of health services.

(f) Sponsor a competitive market that stimulates product innovation, quality improvement, and efficiency in the production and delivery of health services.

(2) DEFINITIONS.—As used in this section:

(a) "Corporation" means the Florida Health Choices, Inc., established under this section.

(b) "Health insurance agent" means an agent licensed under part IV of chapter 626.

(c) "Insurer" means an entity licensed under chapter 624 that offers an individual health insurance policy or a group health insurance policy, a preferred provider organization as defined in s. 627.6471, or an exclusive provider organization as defined in s. 627.6472.

(d) "Program" means the Florida Health Choices Program established by this section.

(3) PROGRAM PURPOSE AND COMPONENTS.—The Florida Health Choices Program is created as a single, centralized market for the sale and purchase of various products that enable individuals to pay for health care. These products include, but are not limited to, health insurance plans, health maintenance organization plans, prepaid services, service contracts, and flexible spending accounts. The components of the program include:

(a) Enrollment of employers.

(b) Administrative services for participating employers, including:

1. Assistance in seeking federal approval of cafeteria plans.

2. Collection of premiums and other payments.

3. Management of individual benefit accounts.

4. Distribution of premiums to insurers and payments to other eligible vendors.

5. Assistance for participants in complying with reporting requirements.

(c) Services to individual participants, including:

1. Information about available products and participating vendors.

2. Assistance to participating individuals for assessing the benefits and limits of each product, including information necessary to distinguish between policies offering creditable coverage and other products available through the program.

3. Account information to assist individual participants to manage available resources.

4. Services that promote healthy behaviors.

(d) Recruitment of vendors, including insurers, health maintenance organizations, prepaid clinic service providers, provider service networks, and other providers.

(e) Certification of vendors to ensure capability, reliability, and validity of offerings.

(f) Collection of data, monitoring, assessment, and reporting of vendor performance.

(g) Information services for individuals and employers.

(h) Program evaluation.

(4) ELIGIBILITY AND PARTICIPATION.—Participation in the program is voluntary and shall be available to employers, individuals, vendors, and health insurance agents as specified in this subsection.

(a) Employers eligible to enroll in the program include:

1. Employers with 1 to 50 employees.

2. Fiscally constrained counties described in s. 218.67.

3. Municipalities with populations of fewer than 50,000 residents.

4. School districts in fiscally constrained counties.

(b) Individuals eligible to participate in the program include:

1. Individual employees of enrolled employers.

2. State employees not eligible for state employee health benefits.

3. State retirees.

4. Medicaid reform participants who select the opt-out provision of reform.

5. Statutory rural hospitals.

(c) Employers who choose to participate in the program may enroll by complying with the procedures established by the corporation. These procedures shall include, but not be limited to, the following:

1. Submission of required information.

2. Compliance with federal tax requirements for the establishment of a cafeteria plan, pursuant to s. 125 of the Internal Revenue Code, including designation of the employer's plan as a premium payment plan, a salary reduction plan with flexible spending arrangements, or a salary reduction plan with a premium payment and flexible spending arrangements.

3. Determination of the employer's contribution, if any, per employee, provided that such contribution is equal for each eligible employee.

4. Establishment of payroll deduction procedures, subject to the agreement of each individual employee who voluntarily participates in the program.

5. Designation of the corporation as the third-party administrator for the employer's health benefit plan.

6. Identification of eligible employees.

7. Arrangement for periodic payments.

(d) Eligible vendors and the products and services that they are permitted to sell are as follows:

1. Insurers licensed under chapter 624 may sell health insurance policies, limited benefit policies, other risk-bearing coverage, and other products or services.

2. Health maintenance organizations licensed under part I of chapter 641 may sell health insurance policies, limited benefit policies, other risk-bearing products, and other products or services.

3. Prepaid health clinic service providers licensed under part II of chapter 641 may sell prepaid service contracts and other arrangements for a specified amount and type of health services or treatments.

4. Health care providers, including hospitals and other licensed health facilities, health care clinics, licensed health professionals, pharmacies, and other licensed health care providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

5. Provider organizations, including service networks, group practices, professional associations, and other incorporated organizations of providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

6. Corporate entities providing specific health services in accordance with applicable state law may sell service contracts and arrangements for a specified amount and type of health services or treatments.

A vendor described in subparagraphs 3.-6. may not sell products that provide risk-bearing coverage unless that vendor is authorized under a certificate of authority issued by the Office of Insurance Regulation under the provisions of the Florida Insurance Code. Otherwise eligible vendors may be excluded from participating in the program for deceptive or predatory practices, financial insolvency, or failure to comply with the terms of the participation agreement or other standards set by the corporation.

(e) Eligible individuals may voluntarily continue participation in the program regardless of subsequent changes in job status or Medicaid eligibility. Individuals who join the program may participate by complying with the procedures established by the corporation. These procedures shall include, but are not limited to:

1. Submission of required information.

2. Authorization for payroll deduction.

3. Compliance with federal tax requirements.

4. Arrangements for payment in the event of job changes.

5. Selection of products and services.

(f) Vendors who choose to participate in the program may enroll by complying with the procedures established by the corporation. These procedures shall include, but are not limited to:

1. Submission of required information, including a complete description of the coverage, services, provider network, payment restrictions, and other requirements of each product offered through the program.

2. Execution of an agreement to make all products offered through the program available to all individual participants.

3. Establishment of product prices based on age, gender, and location of the individual participant.

4. Arrangements for receiving payment for enrolled participants.

5. Participation in ongoing reporting processes established by the corporation.

6. Compliance with grievance procedures established by the corporation.

(g) Health insurance agents licensed under part IV of chapter 626 are eligible to voluntarily participate as buyers' representatives. A buyer's representative acts on behalf of an individual purchasing health insurance and health services through the program by providing information about products and services available through the program and assisting the individual with both the decision and the procedure of selecting specific products. Serving as a buyer's representative does not constitute a conflict of interest with continuing responsibilities as a health insurance agent provided the relationship between each agent and any participating vendor is disclosed prior to advising an individual participant about the products and services available through the program. In order to participate, a health insurance agent shall comply with the procedures established by the corporation, including:

1. Completion of training requirements.

2. Execution of a participation agreement specifying the terms and conditions of participation.

3. Disclosure of any appointments to solicit insurance or procure applications for vendors participating in the program.

4. Arrangements to receive payment from the corporation for services as a buyer's representative.

(5) PRODUCTS.—

(a) The products that may be made available for purchase through the program include, but are not limited to:

1. Health insurance policies.

2. Limited benefit plans.

3. Prepaid clinic services.

4. Service contracts.

5. Arrangements for purchase of specific amounts and types of health services and treatments.

6. Flexible spending accounts.

(b) Health insurance policies, limited benefit plans, prepaid service contracts, and other contracts for services must ensure the availability of covered services and benefits to participating individuals for at least 1 full enrollment year.

(c) Products may be offered for multiyear periods provided the price of the product is specified for the entire period or for each separately priced segment of the policy or contract.

(d) The corporation shall require the following disclosure to be reviewed and executed by all consumers purchasing program options or insurance coverage through the corporation: "In connection with the Florida Health Choices Program authorized by s. 408.910, Florida Statutes, agents and entities offering products and services under the program shall inform the named insured, applicant, or subscriber, on a form approved by the Office of Insurance Regulation of the Financial Services Commission, that the products and services are not insurance or, if they are insurance, that benefits under the coverage are limited under s. 408.910, Florida Statutes, and that such coverage is an alternative to coverage without such limitations. If the form is signed by a named insured, applicant, or subscriber, it shall be presumed that there was an informed, knowing acceptance of such limitations."

(6) PRICING.—Prices for the products sold through the program shall be transparent to participants and established by the vendors based on age, gender, and location of participants. The corporation shall develop a methodology to evaluate the actuarial soundness of products offered through the program. The methodology shall be reviewed by the Office of Insurance Regulation prior to use by the corporation. Prior to making the product available to individual participants, the corporation shall use the methodology to compare the expected health care costs for the covered services and benefits to the vendor's price for that coverage. The results shall be reported to individuals participating in the program. Once established, the price set by the vendor must remain in force for at least 1 year and may only be redetermined by the vendor at the next annual enrollment period. The corporation shall annually assess a surcharge for each premium or price set by a participating vendor. This surcharge may not be more than 2.5 percent of the price and shall be used to generate funding for administrative services provided by the corporation and payments to buyers' representatives.

(7) EXCHANGE PROCESS.—The program shall provide a single, centralized market for purchase of health insurance and health services. Purchases may be made by participating individuals over the Internet or through the services of a participating health insurance agent. Information about each product and service available through the program shall be made available through printed material and an interactive Internet website. A participant needing personal assistance to select products and services shall be referred to a participating agent in his or her area.

(a) Participation in the program may begin at any time during a year when the employer completes enrollment and meets the requirements specified by the corporation pursuant to paragraph (4)(c).

(b) Initial selection of products and services must be made by an individual participant within 60 days after the date on which the individual's employer qualified for participation. An individual who fails to enroll in products and services by the end of this period shall be limited to participation in flexible spending account services until the next annual enrollment period.

(c) Initial enrollment periods for each product selected by an individual participant must last a minimum of 12 months, unless the individual participant specifically agrees to a different enrollment period.

(d) When an individual has selected one or more products and enrolled in those products for at least 12 months or any other period specifically agreed to by the individual participant, changes in selected products and services may only be made during the annual enrollment period established by the corporation.

(e) The limits established in paragraphs (b)-(d) apply to any risk-bearing product that promises future payment or coverage for a variable amount of benefits or services. The limits do not apply to initiation of flexible spending plans when those plans are not associated with specific high-deductible insurance policies or to the use of spending accounts for any products offering individual participants specific amounts and types of health services and treatments at a contracted price.

(8) RISK POOLING.—The program shall utilize methods for pooling the risk of individual participants and preventing selection bias. These methods shall include, but not be limited to, a postenrollment risk adjustment of the premium payments to the vendors. The corporation shall establish a methodology for assessing the risk of enrolled individual participants based on data reported by the vendors about their enrollees. Monthly distributions of payments to the vendors shall be adjusted based on the assessed relative risk profile of the enrollees in each risk-bearing product for the most recent period for which data is available.

(9) EXEMPTIONS.—

(a) Policies sold as part of the program are not subject to the licensing requirements of the Florida Insurance Code, chapter 641, or the mandated offerings or coverages established in part VI of chapter 627 and chapter 641.

(b) The corporation is authorized to act as an administrator as defined in s. 626.88. However, the corporation is not subject to the licensing requirements of part VII of chapter 626.

(10) LIQUIDATION OR DISSOLUTION.—The Department of Financial Services shall supervise any liquidation or dissolution of the corporation and shall have, with respect to such liquidation or dissolution, all power granted to it pursuant to the Florida Insurance Code.

(11) CORPORATION.—There is created the Florida Health Choices, Inc., which shall be registered, incorporated, organized, and operated in compliance with chapter 617. The purpose of the corporation is to administer the program created in this section and to conduct such other business as may further the administration of the program.

(a) The corporation shall be governed by a board of directors consisting of 15 individuals appointed in the following manner:

1. Five members appointed by and serving at the pleasure of the Governor, consisting of:

a. The Secretary of Health Care Administration or a designee with expertise in health care services.

b. The Secretary of Management Services or a designee with expertise in state employee benefits.

c. The Commissioner of the Office of Insurance Regulation or a designee with expertise in insurance regulation.

d. Two representatives of eligible public employers.

2. Five members appointed by and serving at the pleasure of the President of the Senate, consisting of representatives of employers, insurers, health care providers, health insurance agents, and individual participants.

3. Five members appointed by and serving at the pleasure of the Speaker of the House of Representatives, consisting of representatives of employers, insurers, health care providers, health insurance agents, and individual participants.

(b) Members shall be appointed for terms of up to 3 years. Any member is eligible for reappointment. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(c) The board shall select a chief executive officer for the corporation who shall be responsible for the selection of such other staff as may be authorized by the corporation's operating budget as adopted by the board.

(d) Board members are entitled to receive, from funds of the corporation, reimbursement for per diem and travel expenses as provided by s. 112.061. No other compensation is authorized.

(e) There shall be no liability on the part of, and no cause of action shall arise against, any member of the board or its employees or agents for any action taken by them in the performance of their powers and duties under this section.

(f) The board shall develop and adopt bylaws and other corporate procedures as necessary for the operation of the corporation and carrying out the purposes of this section. The bylaws shall:

1. Specify procedures for selection of officers and qualifications for reappointment, provided that no board member shall serve more than 9 consecutive years.

2. Require an annual membership meeting that provides an opportunity for input and interaction with individual participants in the program.

3. Specify policies and procedures regarding conflicts of interest, including prohibiting a member from participating in any decision that would inure to the benefit of the member or the organization that employs the member. The policies and procedures shall also require public disclosure of the interest that prevents the member from participating in a decision on a particular matter.

(g) The corporation may exercise all powers granted to it under chapter 617 necessary to carry out the purposes of this section, including, but not limited to, the power to receive and accept grants, loans, or advances of funds from any public or private agency and to receive and accept from any source contributions of money, property, labor, or any other thing of value to be held, used, and applied for the purposes of this section.

(h) The corporation shall:

1. Determine eligibility of employers, vendors, individuals, and agents in accordance with subsection (4).

2. Establish procedures necessary for the operation of the program, including, but not limited to, procedures for application, enrollment, risk assessment, risk adjustment, plan administration, performance monitoring, and consumer education.

3. Arrange for collection of contributions from participating employers and individuals.

4. Arrange for payment of premiums and other appropriate disbursements based on the selections of products and services by the individual participants.

5. Establish criteria for disenrollment of participating individuals based on failure to pay the individual's share of any contribution required to maintain enrollment in selected products.

6. Establish criteria for exclusion of vendors pursuant to paragraph (4)(d).

7. Develop and implement a plan for promoting public awareness of and participation in the program.

8. Secure staff and consultant services necessary to the operation of the program.

9. Establish policies and procedures regarding participation in the program for individuals, vendors, health insurance agents, and employers.

10. Develop a plan, in coordination with the Department of Revenue, to establish tax credits or refunds for employers that participate in the program. The corporation shall submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2009.

11. Beginning in fiscal year 2009-2010, submit by February 1 an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives documenting the corporation's activities in compliance with the duties delineated in this section.

(i) To ensure program integrity and to safeguard the financial transactions made under the auspices of the program, the corporation is authorized to establish qualifying criteria and certification procedures for vendors, require performance bonds or other guarantees of ability to

complete contractual obligations, monitor the performance of vendors, and enforce the agreements of the program through financial penalty or disqualification from the program.

Section 5. Subsection (22) of section 409.811, Florida Statutes, is amended to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.820, the term:

(22) "Premium assistance payment" means the monthly consideration paid by the agency per enrollee in the Florida Kidcare program towards health insurance premiums *and may include the direct payment of the premium for a qualifying child to be covered as a dependent under an employer-sponsored group family plan when such payment does not exceed the payment required for an enrollee in the Florida Kidcare program* .

Section 6. Section 624.1265, Florida Statutes, is created to read:

624.1265 Nonprofit religious organization exemption; authority; notice.—

(1) Any nonprofit religious organization that qualifies under Title 26, s. 501 of the Internal Revenue Code of 1986, as amended; that limits its participants to members of the same religion; that acts as an organizational clearinghouse for information between participants who have financial, physical, or medical needs and participants with the ability to pay for the benefit of those participants with financial, physical, or medical needs; that provides for the financial or medical needs of a participant through payments directly from one participant to another; and that suggests amounts that participants may voluntarily give with no assumption of risk or promise to pay either among the participants or between the participants and the organization are not subject to any requirements of the Florida Insurance Code.

(2) Nothing in this section prevents the organization described in subsection (1) from establishing qualifications of participation relating to the health of a prospective participant, prevents a participant from limiting the financial or medical needs that may be eligible for payment, or prevents the organization from canceling the membership of a participant when such participant indicates his or her unwillingness to participate by failing to make a payment to another participant for a period in excess of 60 days.

(3) The organization described in subsection (1) shall provide each prospective participant in the organizational clearinghouse written notice that the organization is not an insurance company, that membership is not offered through an insurance company, and that the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code.

Section 7. Section 627.6562, Florida Statutes, is amended to read:

627.6562 Dependent coverage.—

(1) If an insurer offers coverage that insures dependent children of the policyholder or certificateholder, the policy must insure a dependent child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 25, if the child meets all of the following:

(a) The child is dependent upon the policyholder or certificateholder for support.

(b) The child is living in the household of the policyholder or certificateholder, or the child is a full-time or part-time student.

(2) A policy that is subject to the requirements of subsection (1) must also offer the policyholder or certificateholder the option to insure a child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 30, if the child:

(a) Is unmarried and does not have a dependent of his or her own;

(b) Is a resident of this state or a full-time or part-time student; and

(c) Is not provided coverage as a named subscriber, insured, enrollee, or covered person under any other group, blanket, or franchise health insurance policy or individual health benefits plan, or entitled to benefits under Title XVIII of the Social Security Act.

(3) If, pursuant to subsection (2), a child is provided coverage under the parent's policy after the end of the calendar year in which the child reaches age 25, and coverage for the child is subsequently terminated, the child is not eligible to be covered under the parent's policy unless the child was continuously covered by other creditable coverage without a gap in coverage of more than 63 days. For the purposes of this subsection, the term "creditable coverage" has the same meaning as defined in s. 627.6561(5).

(4)~~(2)~~ ~~Nothing in~~ This section *does not affect or preempt* ~~affects or preempts~~ an insurer's right to medically underwrite or charge the appropriate premium.

(b) Require coverage for services provided to a dependent before October 1, 2008.

(c) Require an employer to pay all or part of the cost of coverage provided for a dependent under this section.

(d) Prohibit an insurer or health maintenance organization from increasing the limiting age for dependent coverage to age 30 in policies or contracts issued or renewed prior to the effective date of this act.

(5) Until April 1, 2009, a dependent child who qualifies for coverage under subsection (1) but whose coverage as a dependent child under a covered person's plan terminated under the terms of the plan before October 1, 2008, may make a written election to reinstate coverage, without proof of insurability, under that plan as a dependent child pursuant to this section. All other dependent children who qualify for coverage under subsection (1) shall be automatically covered at least until the end of the calendar year in which the child reaches the age of 30, unless the covered person provides the group policyholder with written evidence the dependent child is married, is not a resident of the state, is covered under a separate comprehensive health insurance policy or a health benefit plan, is entitled to benefits under Title XVIII of the Social Security Act, Pub. L. No. 89-97, 42 U.S.C. ss. 1935 et seq., or is eligible for coverage as an employee under an employer-sponsored health plan.

(6) The covered person's plan may require the payment of a premium by the covered person or dependent child, as appropriate, subject to the approval of the Office of Insurance Regulation, for any period of coverage relating to a dependent's written election for coverage pursuant to subsection (3).

(7) Notice regarding the reinstatement of coverage for a dependent child as provided under this section must be provided to a covered person in the certificate of coverage prepared for covered persons by the insurer or by the covered person's employer. The notice shall be given as soon as practicable after July 1, 2008, and such notice may be given through the group policyholder.

(8) This section does not apply to accident only, specified disease, disability income, Medicare supplement, or long-term care insurance policies.

(9) This section applies to all group, blanket, and franchise health insurance policies covering residents of this state, including, but not limited to, policies in which the carrier has reserved the right to change the premium. This section applies to all individual, group, blanket, and franchise health insurance policies and health maintenance contracts issued, renewed, or amended after October 1, 2008.

Section 8. Subsections (1), (4), and (6) of section 641.402, Florida Statutes, are amended to read:

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

(1) "Basic services" includes any of the following: *limited hospital inpatient services, which may include hospital inpatient physician services, up to a maximum of coverage benefit of 5 days and a maximum dollar amount of coverage of $15,000 per calendar year;* emergency care;~~,~~ physician care other than hospital inpatient physician services;~~,~~ ambulatory diagnostic treatment;~~,~~ and preventive health care services.

(4) "Prepaid health clinic" means any organization authorized under this part which provides, either directly or through arrangements with

other persons, basic services to persons enrolled with such organization, on a prepaid per capita or prepaid aggregate fixed-sum basis, including those basic services *described in this part* which subscribers might reasonably require to maintain good health. ~~However, no clinic that provides or contracts for, either directly or indirectly, inpatient hospital services, hospital inpatient physician services, or indemnity against the cost of such services shall be a prepaid health clinic.~~

(6) "Provider" means any physician or person ~~other than a hospital~~ that furnishes health care services *under this part* and is licensed or authorized to practice in this state.

Section 9. 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 affordable health coverage; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility requirements; providing cetain exemptions from the 6-month lapse in coverage requirement; extending the expiration date of the health flex plan; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the agency and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality of care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the office and the agency to oversee changes to plan benefits; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design programs to encourage or extend incentives for participation in the Cover Florida Health Care Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the invitation to negotiate to include certain guidelines; providing certain conditions under which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; requiring the agency and the office to approve at least one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; providing that certain licensing requirements are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility for a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the program and submit an annual report to the Governor and the Legislature; authorizing the agency and the Financial Services Commission to adopt rules; creating s. 408.910, F.S.; establishing the Florida Health Choices Program; providing legislative intent; providing definitions; providing program purpose and components; providing employer eligibility criteria; providing individual eligibility criteria; providing employer enrollment criteria; providing vendor, product, and service eligibility criteria; providing for individual participation regardless of subsequent job status or Medicaid eligibility; providing individual enrollment criteria; providing vendor enrollment criteria; providing for participation by health insurance agents; providing criteria for products available for purchase; providing criteria for product pricing; providing for an administrative surcharge; providing for an exchange process; providing for enrollment periods and changes in selected products; providing methods for the pooling of risk; providing for exemptions from certain statutory provisions, mandated offerings and coverages, and licensing requirements; creating the Florida Health Choices, Inc.; requiring the department to supervise any liquidation or dissolution of the corporation; providing for corporate governance and board membership and terms; providing for reimbursement for per diem and travel expenses; providing for powers and duties of the corporation; requiring the corporation to coordinate with the Department of Revenue to develop a plan by January 1, 2009, for creating tax exemptions or refunds for participating in the program; requiring the corporation to submit an annual report to the Governor and Legislature; authorizing the corporation to establish and enforce certain program integrity measures; amending s. 409.811, F.S.; revising the definition of the term "premium assistance payment"; creating s. 624.1265, F.S.; exempting certain nonprofit religious organizations from requirements of the Florida Insurance Code; preserving certain authority of such organizations; requiring such organizations to provide certain notice to prospective participants; providing notice requirements; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; amending s. 627.6699, F.S.; requiring participation of employees in health maintenance contracts or policies issued or renewed after a specified date; providing conditions for employers and employees to opt out of such coverage; amending s. 641.402, F.S.; revising the definition of the term "basic services" to include certain hospital inpatient services; revising the definitions of the terms "prepaid health clinic" and "provider"; providing an effective date.

Senator Peaden moved the following amendment which was adopted:

Senate Amendment 1 (700952) (with title amendment) to House Amendment 1—Delete line(s) 5-872 and insert:

Section 1. Paragraph (d) of subsection (2) of section 112.363, Florida Statutes, is amended to read:

112.363 Retiree health insurance subsidy.—

(2) ELIGIBILITY FOR RETIREE HEALTH INSURANCE SUBSIDY.—

(d) Payment of the retiree health insurance subsidy shall be made only after coverage for health insurance for the retiree or beneficiary has been certified in writing to the Department of Management Services. Participation in a former employer's group health insurance program is not a requirement for eligibility under this section. *Coverage issued pursuant to s. 408.9091 is considered health insurance for the purposes of this section.*

Section 2. Subsections (5) and (10) of section 408.909, Florida Statutes, are amended to read:

408.909 Health flex plans.—

(5) ELIGIBILITY.—Eligibility to enroll in an approved health flex plan is limited to residents of this state who:

(a)*1.* Are 64 years of age or younger;

2.~~(b)~~ Have a family income equal to or less than *300* ~~200~~ percent of the federal poverty level;

~~(c) Are eligible under a federally approved Medicaid demonstration waiver and reside in Palm Beach County or Miami-Dade County;~~

3.~~(d)~~ Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare or Medicaid, ~~unless specifically authorized under paragraph (e),~~ or another public health care program, such as Kidcare, and have not been covered at any time during the past 6 months*, except that:*

a. A person who was covered under an individual health maintenance contract issued by a health maintenance organization licensed under part I of chapter 641 which was also an approved health flex plan on October 1, 2008, may apply for coverage in the same health maintenance organization's health flex plan without a lapse in coverage if all other eligibility requirements are met; or

b. A person who was covered under Medicaid or Kidcare and lost eligibility for the Medicaid or Kidcare subsidy due to income restrictions within 90 days prior to applying for health care coverage through an approved health flex plan may apply for coverage in a health flex plan without a lapse in coverage if all other eligibility requirements are met; and

4.~~(e)~~ Have applied for health care coverage *as an individual* through an approved health flex plan and have agreed to make any payments

required for participation, including periodic payments or payments due at the time health care services are provided*; or*

(b) Are part of an employer group of which at least 75 percent of the employees have a family income equal to or less than 300 percent of the federal poverty level and the employer group is not covered by a private health insurance policy and has not been covered at any time during the past 6 months. If the health flex plan entity is a health insurer, health plan, or health maintenance organization licensed under Florida law, only 50 percent of the employees must meet the income requirements for the purpose of this paragraph.

(10) EXPIRATION.—This section expires July 1, *2013* ~~2008~~.

Section 3. Section 408.9091, Florida Statutes, is created to read:

408.9091 Cover Florida Health Care Access Program.—

(1) SHORT TITLE.—This section may be cited as the "Cover Florida Health Care Access Program Act."

(2) LEGISLATIVE INTENT.—The Legislature finds that a significant number of state residents are unable to obtain affordable health insurance coverage. The Legislature also finds that existing health flex plan coverage has had limited participation due in part to narrow eligibility restrictions as well as minimal benefit options for catastrophic and emergency care coverage. Therefore, it is the intent of the Legislature to expand the availability of health care options for uninsured residents by developing an affordable health care product that emphasizes coverage for basic and preventive health care services; provides inpatient hospital, urgent, and emergency care services; and is offered statewide by approved health insurers, health maintenance organizations, health-care-provider-sponsored organizations, or health care districts.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Agency" means the Agency for Health Care Administration.

(b) "Cover Florida plan" means a consumer choice benefit plan approved under this section which guarantees payment or coverage for specified benefits provided to an enrollee.

(c) "Cover Florida plan coverage" means health care services that are covered as benefits under a Cover Florida plan.

(d) "Cover Florida plan entity" means a health insurer, health maintenance organization, health-care-provider-sponsored organization, or health care district that develops and implements a Cover Florida plan and is responsible for administering the plan and paying all claims for Cover Florida plan coverage by enrollees.

(e) "Cover Florida Plus" means a supplemental insurance product, such as for additional catastrophic coverage or dental, vision, or cancer coverage, approved under this section and offered to all enrollees.

(f) "Enrollee" means an individual who has been determined to be eligible for and is receiving health insurance coverage under a Cover Florida plan.

(g) "Office" means the Office of Insurance Regulation of the Financial Services Commission.

(4) PROGRAM.—The agency and the office shall jointly establish and administer the Cover Florida Health Care Access Program.

(a) General Cover Florida plan components must require that:

1. Plans are offered on a guaranteed-issue basis to enrollees, subject to exclusions for preexisting conditions approved by the office and the agency.

2. Plans are portable such that the enrollee remains covered regardless of employment status or the cost-sharing of premiums.

3. Plans provide for cost containment through limits on the number of services, caps on benefit payments, and copayments for services.

4. A Cover Florida plan entity makes all benefit plan and marketing materials available in English and Spanish.

5. In order to provide for consumer choice, Cover Florida plan entities develop two alternative benefit option plans having different cost and benefit levels, including at least one plan that provides catastrophic coverage.

6. Plans without catastrophic coverage provide coverage options for services including, but not limited to:

a. Preventive health services, including immunizations, annual health assessments, well-woman and well-care services, and preventive screenings such as mammograms, cervical cancer screenings, and noninvasive colorectal or prostate screenings.

b. Incentives for routine preventive care.

c. Office visits for the diagnosis and treatment of illness or injury.

d. Office surgery, including anesthesia.

e. Behavioral health services.

f. Durable medical equipment and prosthetics.

g. Diabetic supplies.

7. Plans providing catastrophic coverage, at a minimum, provide coverage options for all of the services listed under subparagraph 6.; however, such plans may include, but are not limited to, coverage options for:

a. Inpatient hospital stays.

b. Hospital emergency care services.

c. Urgent care services.

d. Outpatient facility services, outpatient surgery, and outpatient diagnostic services.

8. All plans offer prescription drug benefit coverage, use a prescription drug manager, or offer a discount drug card.

9. Plan enrollment materials provide information in plain language on policy benefit coverage, benefit limits, cost-sharing requirements, and exclusions and a clear representation of what is not covered in the plan. Such enrollment materials must include a standard disclosure form adopted by rule by the Financial Services Commission, to be reviewed and executed by all consumers purchasing Cover Florida plan coverage.

10. Plans offered through a qualified employer meet the requirements of s. 125 of the Internal Revenue Code.

(b) Guidelines shall be developed to ensure that Cover Florida plans meet minimum standards for quality of care and access to care. The agency shall ensure that the Cover Florida plans follow standardized grievance procedures.

(c) Changes in Cover Florida plan benefits, premiums, and policy forms are subject to regulatory oversight by the office and the agency as provided under rules adopted by the Financial Services Commission and the agency.

(d) The agency, the office, and the Executive Office of the Governor shall develop a public awareness program to be implemented throughout the state for the promotion of the Cover Florida Health Care Access Program.

(e) Public or private entities may design programs to encourage Floridians to participate in the Cover Florida Health Care Access Program or to encourage employers to cosponsor some share of Cover Florida plan premiums for employees.

(5) PLAN PROPOSALS.—The agency and the office shall announce, no later than July 1, 2008, an invitation to negotiate for Cover Florida plan entities to design a Cover Florida plan proposal in which benefits and premiums are specified.

(a) The invitation to negotiate shall include guidelines for the review of Cover Florida plan applications, policy forms, and all associated forms and provide regulatory oversight of Cover Florida plan advertisement

and marketing procedures. A plan shall be disapproved or withdrawn if the plan:

1. Contains any ambiguous, inconsistent, or misleading provisions or any exceptions or conditions that deceptively affect or limit the benefits purported to be assumed in the general coverage provided by the plan;

2. Provides benefits that are unreasonable in relation to the premium charged or contains provisions that are unfair or inequitable, that are contrary to the public policy of this state, that encourage misrepresentation, or that result in unfair discrimination in sales practices;

3. Cannot demonstrate that the plan is financially sound and that the applicant is able to underwrite or finance the health care coverage provided;

4. Cannot demonstrate that the applicant and its management are in compliance with the standards required under s. 624.404(3); or

5. Does not guarantee that enrollees may participate in the Cover Florida plan entity's comprehensive network of providers, as determined by the office, the agency, and the contract.

(b) The agency and the office may announce an invitation to negotiate for the design of Cover Florida Plus products to companies that offer supplemental insurance, discount medical plan organizations licensed under part II of chapter 636, or prepaid health clinics licensed under part II of chapter 641.

(c) The agency and office shall approve at least one Cover Florida plan entity having an existing statewide network of providers and may approve at least one regional network plan in each existing Medicaid area.

(6) LICENSE NOT REQUIRED.—

(a) The licensing requirements of the Florida Insurance Code and chapter 641 relating to health maintenance organizations do not apply to a Cover Florida plan approved under this section unless expressly made applicable. However, for the purpose of prohibiting unfair trade practices, Cover Florida plans are considered to be insurance subject to the applicable provisions of part IX of chapter 626 except as otherwise provided in this section.

(b) Cover Florida plans are not covered by the Florida Life and Health Insurance Guaranty Association under part III of chapter 631 or by the Health Maintenance Organization Consumer Assistance Plan under part IV of chapter 631.

(7) ELIGIBILITY.—Eligibility to enroll in a Cover Florida plan is limited to residents of this state who meet all of the following requirements:

(a) Are between 19 and 64 years of age, inclusive.

(b) Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare, Medicaid, or Kidcare, unless eligibility for coverage lapses due to no longer meeting income or categorical requirements.

(c) Have not been covered by any health insurance program at any time during the past 6 months, unless coverage under a health insurance program was terminated within the previous 6 months due to:

1. Loss of a job that provided an employer-sponsored health benefit plan;

2. Exhaustion of coverage that was continued under COBRA or continuation-of-coverage requirements under s. 627.6692;

3. Reaching the limiting age under the policy; or

4. Death of, or divorce from, a spouse who was provided an employer-sponsored health benefit plan.

(d) Have applied for health care coverage through a Cover Florida plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided.

(8) RECORDS.—Each Cover Florida plan must maintain enrollment data and provide network data and reasonable records to enable the office and the agency to monitor plans and to determine the financial viability of the Cover Florida plan, as necessary.

(9) NONENTITLEMENT.—Coverage under a Cover Florida plan is not an entitlement, and a cause of action does not arise against the state, a local government entity, any other political subdivision of the state, or the agency or the office for failure to make coverage available to eligible persons under this section.

(10) PROGRAM EVALUATION.—The agency and the office shall:

(a) Evaluate the Cover Florida Health Care Access Program and its effect on the entities that seek approval as Cover Florida plans, on the number of enrollees, and on the scope of the health care coverage offered under a Cover Florida plan.

(b) Provide an assessment of the Cover Florida plans and their potential applicability in other settings.

(c) Use Cover Florida plans to gather more information to evaluate low-income, consumer-driven benefit packages.

(d) Jointly submit by March 1, 2009, and annually thereafter, a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides the information specified in paragraphs (a)-(c) and recommendations relating to the successful implementation and administration of the program.

(11) RULEMAKING AUTHORITY.—The agency and the Financial Services Commission may adopt rules pursuant to ss. 120.536(1) and 120.54 as needed to administer this section.

Section 4. Section 408.910, Florida Statutes, is created to read:

408.910 Florida Health Choices Program.—

(1) LEGISLATIVE INTENT.—The Legislature finds that a significant number of the residents of this state do not have adequate access to affordable, quality health care. The Legislature further finds that increasing access to affordable, quality health care can be best accomplished by establishing a competitive market for purchasing health insurance and health services. It is therefore the intent of the Legislature to create the Florida Health Choices Program to:

(a) Expand opportunities for Floridians to purchase affordable health insurance and health services.

(b) Preserve the benefits of employment-sponsored insurance while easing the administrative burden for employers who offer these benefits.

(c) Enable individual choice in both the manner and amount of health care purchased.

(d) Provide for the purchase of individual, portable health care coverage.

(e) Disseminate information to consumers on the price and quality of health services.

(f) Sponsor a competitive market that stimulates product innovation, quality improvement, and efficiency in the production and delivery of health services.

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

(a) "Corporation" means the Florida Health Choices, Inc., established under this section.

(b) "Health insurance agent" means an agent licensed under part IV of chapter 626.

(c) "Insurer" means an entity licensed under chapter 624 which offers an individual health insurance policy or a group health insurance policy, a preferred provider organization as defined in s. 627.6471, or an exclusive provider organization as defined in s. 627.6472.

(d) "Program" means the Florida Health Choices Program established by this section.

(3) PROGRAM PURPOSE AND COMPONENTS.—The Florida Health Choices Program is created as a single, centralized market for the sale and purchase of various products that enable individuals to pay for health care. These products include, but are not limited to, health insurance plans, health maintenance organization plans, prepaid services, service contracts, and flexible spending accounts. The components of the program include:

(a) Enrollment of employers.

(b) Administrative services for participating employers, including:

1. Assistance in seeking federal approval of cafeteria plans.

2. Collection of premiums and other payments.

3. Management of individual benefit accounts.

4. Distribution of premiums to insurers and payments to other eligible vendors.

5. Assistance for participants in complying with reporting requirements.

(c) Services to individual participants, including:

1. Information about available products and participating vendors.

2. Assistance with assessing the benefits and limits of each product, including information necessary to distinguish between policies offering creditable coverage and other products available through the program.

3. Account information to assist individual participants with managing available resources.

4. Services that promote healthy behaviors.

(d) Recruitment of vendors, including insurers, health maintenance organizations, prepaid clinic service providers, provider service networks, and other providers.

(e) Certification of vendors to ensure capability, reliability, and validity of offerings.

(f) Collection of data, monitoring, assessment, and reporting of vendor performance.

(g) Information services for individuals and employers.

(h) Program evaluation.

(4) ELIGIBILITY AND PARTICIPATION.—Participation in the program is voluntary and shall be available to employers, individuals, vendors, and health insurance agents as specified in this subsection.

(a) Employers eligible to enroll in the program include:

1. Employers that have 1 to 50 employees.

2. Fiscally constrained counties described in s. 218.67.

3. Municipalities having populations of fewer than 50,000 residents.

4. School districts in fiscally constrained counties.

(b) Individuals eligible to participate in the program include:

1. Individual employees of enrolled employers.

2. State employees not eligible for state employee health benefits.

3. State retirees.

4. Medicaid reform participants who select the opt-out provision of reform.

5. Statutory rural hospitals.

(c) Employers who choose to participate in the program may enroll by complying with the procedures established by the corporation. The procedures must include, but are not limited to:

1. Submission of required information.

2. Compliance with federal tax requirements for the establishment of a cafeteria plan, pursuant to s. 125 of the Internal Revenue Code, including designation of the employer's plan as a premium payment plan, a salary reduction plan that has flexible spending arrangements, or a salary reduction plan that has a premium payment and flexible spending arrangements.

3. Determination of the employer's contribution, if any, per employee, provided that such contribution is equal for each eligible employee.

4. Establishment of payroll deduction procedures, subject to the agreement of each individual employee who voluntarily participates in the program.

5. Designation of the corporation as the third-party administrator for the employer's health benefit plan.

6. Identification of eligible employees.

7. Arrangement for periodic payments.

8. Employer notification to employees of the intent to transfer from an existing employee health plan to the program at least 90 days before the transition.

(d) Eligible vendors and the products and services that the vendors are permitted to sell are as follows:

1. Insurers licensed under chapter 624 may sell health insurance policies, limited benefit policies, other risk-bearing coverage, and other products or services.

2. Health maintenance organizations licensed under part I of chapter 641 may sell health insurance policies, limited benefit policies, other risk-bearing products, and other products or services.

3. Prepaid health clinic service providers licensed under part II of chapter 641 may sell prepaid service contracts and other arrangements for a specified amount and type of health services or treatments.

4. Health care providers, including hospitals and other licensed health facilities, health care clinics, licensed health professionals, pharmacies, and other licensed health care providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

5. Provider organizations, including service networks, group practices, professional associations, and other incorporated organizations of providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

6. Corporate entities providing specific health services in accordance with applicable state law may sell service contracts and arrangements for a specified amount and type of health services or treatments.

A vendor described in subparagraphs 3.-6. may not sell products that provide risk-bearing coverage unless that vendor is authorized under a certificate of authority issued by the Office of Insurance Regulation under the provisions of the Florida Insurance Code. Otherwise eligible vendors may be excluded from participating in the program for deceptive or predatory practices, financial insolvency, or failure to comply with the terms of the participation agreement or other standards set by the corporation.

(e) Eligible individuals may voluntarily continue participation in the program regardless of subsequent changes in job status or Medicaid eligibility. Individuals who join the program may participate by complying with the procedures established by the corporation. These procedures must include, but are not limited to:

1. Submission of required information.

2. Authorization for payroll deduction.

3. Compliance with federal tax requirements.

4. Arrangements for payment in the event of job changes.

5. Selection of products and services.

(f) Vendors who choose to participate in the program may enroll by complying with the procedures established by the corporation. These procedures must include, but are not limited to:

1. Submission of required information, including a complete description of the coverage, services, provider network, payment restrictions, and other requirements of each product offered through the program.

2. Execution of an agreement to make all risk-bearing products offered through the program guaranteed-issue policies, subject to preexisting-condition exclusions established by the corporation.

3. Execution of an agreement that prohibits refusal to sell any offered non-risk-bearing product to a participant who elects to buy it.

4. Establishment of product prices based on age, gender, and location of the individual participant.

5. Arrangements for receiving payment for enrolled participants.

6. Participation in ongoing reporting processes established by the corporation.

7. Compliance with grievance procedures established by the corporation.

(g) Health insurance agents licensed under part IV of chapter 626 are eligible to voluntarily participate as buyers' representatives. A buyer's representative acts on behalf of an individual purchasing health insurance and health services through the program by providing information about products and services available through the program and assisting the individual with both the decision and the procedure of selecting specific products. Serving as a buyer's representative does not constitute a conflict of interest with continuing responsibilities as a health insurance agent if the relationship between each agent and any participating vendor is disclosed before advising an individual participant about the products and services available through the program. In order to participate, a health insurance agent shall comply with the procedures established by the corporation, including:

1. Completion of training requirements.

2. Execution of a participation agreement specifying the terms and conditions of participation.

3. Disclosure of any appointments to solicit insurance or procure applications for vendors participating in the program.

4. Arrangements to receive payment from the corporation for services as a buyer's representative.

(5) PRODUCTS.—

(a) The products that may be made available for purchase through the program include, but are not limited to:

1. Health insurance policies.

2. Limited benefit plans.

3. Prepaid clinic services.

4. Service contracts.

5. Arrangements for purchase of specific amounts and types of health services and treatments.

6. Flexible spending accounts.

(b) Health insurance policies, limited benefit plans, prepaid service contracts, and other contracts for services must ensure the availability of covered services and benefits to participating individuals for at least 1 full enrollment year.

(c) Products may be offered for multiyear periods provided the price of the product is specified for the entire period or for each separately priced segment of the policy or contract.

(d) The corporation shall provide a disclosure form for consumers to acknowledge their understanding of the nature of, and any limitations to, the benefits provided by the products and services being purchased by the consumer.

(6) PRICING.—Prices for the products sold through the program must be transparent to participants and established by the vendors based on age, gender, and location of participants. The corporation shall develop a methodology for evaluating the actuarial soundness of products offered through the program. The methodology shall be reviewed by the Office of Insurance Regulation prior to use by the corporation. Before making the product available to individual participants, the corporation shall use the methodology to compare the expected health care costs for the covered services and benefits to the vendor's price for that coverage. The results shall be reported to individuals participating in the program. Once established, the price set by the vendor must remain in force for at least 1 year and may only be redetermined by the vendor at the next annual enrollment period. The corporation shall annually assess a surcharge for each premium or price set by a participating vendor. The surcharge may not be more than 2.5 percent of the price and shall be used to generate funding for administrative services provided by the corporation and payments to buyers' representatives.

(7) EXCHANGE PROCESS.—The program shall provide a single, centralized market for purchase of health insurance and health services. Purchases may be made by participating individuals over the Internet or through the services of a participating health insurance agent. Information about each product and service available through the program shall be made available through printed material and an interactive Internet website. A participant needing personal assistance to select products and services shall be referred to a participating agent in his or her area.

(a) Participation in the program may begin at any time during a year after the employer completes enrollment and meets the requirements specified by the corporation pursuant to paragraph (4)(c).

(b) Initial selection of products and services must be made by an individual participant within 60 days after the date the individual's employer qualified for participation. An individual who fails to enroll in products and services by the end of this period is limited to participation in flexible spending account services until the next annual enrollment period.

(c) Initial enrollment periods for each product selected by an individual participant must last at least 12 months, unless the individual participant specifically agrees to a different enrollment period.

(d) If an individual has selected one or more products and enrolled in those products for at least 12 months or any other period specifically agreed to by the individual participant, changes in selected products and services may only be made during the annual enrollment period established by the corporation.

(e) The limits established in paragraphs (b)-(d) apply to any risk-bearing product that promises future payment or coverage for a variable amount of benefits or services. The limits do not apply to initiation of flexible spending plans if those plans are not associated with specific high-deductible insurance policies or the use of spending accounts for any products offering individual participants specific amounts and types of health services and treatments at a contracted price.

(8) CONSUMER INFORMATION.—The corporation shall establish a secure website to facilitate the purchase of products and services by participating individuals. The website must provide information about each product or service available through the program.

(a) Prior to making a risk-bearing product available through the program, the corporation shall provide information regarding the product to the Office of Insurance Regulation. The office shall review the product information and provide consumer information and a recommendation on the risk-bearing product to the corporation within 30 days after receiving the product information.

1. Upon receiving a recommendation that a risk-bearing product should be made available in the marketplace, the corporation may include the product on its website. If the consumer information and recommendation is not received within 30 days, the corporation may make the risk-bearing product available on the website without consumer information from the office.

2. Upon receiving a recommendation that a risk-bearing product should not be made available in the marketplace, the risk-bearing product may be included as an eligible product in the marketplace and on its website only if a majority of the board of directors vote to include the product.

(b) If a risk-bearing product is made available on the website, the corporation shall make the consumer information and office recommendation available on the website and in print format. The corporation shall make late-submitted and ongoing updates to consumer information available on the website and in print format.

(9) RISK POOLING.—The program shall utilize methods for pooling the risk of individual participants and preventing selection bias. These methods shall include, but are not limited to, a postenrollment risk adjustment of the premium payments to the vendors. The corporation shall establish a methodology for assessing the risk of enrolled individual participants based on data reported by the vendors about their enrollees. Monthly distributions of payments to the vendors shall be adjusted based on the assessed relative risk profile of the enrollees in each risk-bearing product for the most recent period for which data is available.

(10) EXEMPTIONS.—

(a) Policies sold as part of the program are not subject to the licensing requirements of the Florida Insurance Code, chapter 641, or the mandated offerings or coverages established in part VI of chapter 627 and chapter 641.

(b) The corporation may act as an administrator as defined in s. 626.88 but is not required to be certified pursuant to part VII of chapter 626. However, a third party administrator used by the corporation must be certified under part VII of chapter 626.

(11) CORPORATION.—There is created the Florida Health Choices, Inc., which shall be registered, incorporated, organized, and operated in compliance with part III of chapter 112, chapter 119, chapter 286 and chapter 617. The purpose of the corporation is to administer the program created in this section and to conduct such other business as may further the administration of the program.

(a) The corporation shall be governed by a 15-member board of directors consisting of:

1. Three ex officio, nonvoting members to include:

a. The Secretary of Health Care Administration or a designee with expertise in health care services.

b. The Secretary of Management Services or a designee with expertise in state employee benefits.

c. The Commissioner of the Office of Insurance Regulation or a designee with expertise in insurance regulation.

2. Four members appointed by and serving at the pleasure of the Governor.

3. Four members appointed by and serving at the pleasure of the President of the Senate.

4. Four members appointed by and serving at the pleasure of the Speaker of the House of Representatives.

5. Board members may not include insurers, health insurance agents or brokers, health care providers, health maintenance organizations, prepaid service providers, or any other entity, affiliate or subsidiary of eligible vendors.

(b) Members shall be appointed for terms of up to 3 years. Any member is eligible for reappointment. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(c) The board shall select a chief executive officer for the corporation who shall be responsible for the selection of such other staff as may be authorized by the corporation's operating budget as adopted by the board.

(d) Board members are entitled to receive, from funds of the corporation, reimbursement for per diem and travel expenses as provided by s. 112.061. No other compensation is authorized.

(e) There is no liability on the part of, and no cause of action shall arise against, any member of the board or its employees or agents for any action taken by them in the performance of their powers and duties under this section.

(f) The board shall develop and adopt bylaws and other corporate procedures as necessary for the operation of the corporation and carrying out the purposes of this section. The bylaws shall:

1. Specify procedures for selection of officers and qualifications for reappointment, provided that no board member shall serve more than 9 consecutive years.

2. Require an annual membership meeting that provides an opportunity for input and interaction with individual participants in the program.

3. Specify policies and procedures regarding conflicts of interest, including the provisions of part III of chapter 112, which prohibit a member from participating in any decision that would inure to the benefit of the member or the organization that employs the member. The policies and procedures shall also require public disclosure of the interest that prevents the member from participating in a decision on a particular matter.

(g) The corporation may exercise all powers granted to it under chapter 617 necessary to carry out the purposes of this section, including, but not limited to, the power to receive and accept grants, loans, or advances of funds from any public or private agency and to receive and accept from any source contributions of money, property, labor, or any other thing of value to be held, used, and applied for the purposes of this section.

(h) The corporation may establish technical advisory panels consisting of interested parties, including consumers, health care providers, individuals with expertise in insurance regulation, and insurers.

(i) The corporation shall:

1. Determine eligibility of employers, vendors, individuals, and agents in accordance with subsection (4).

2. Establish procedures necessary for the operation of the program, including, but not limited to, procedures for application, enrollment, risk assessment, risk adjustment, plan administration, performance monitoring, and consumer education.

3. Arrange for collection of contributions from participating employers and individuals.

4. Arrange for payment of premiums and other appropriate disbursements based on the selections of products and services by the individual participants.

5. Establish criteria for disenrollment of participating individuals based on failure to pay the individual's share of any contribution required to maintain enrollment in selected products.

6. Establish criteria for exclusion of vendors pursuant to paragraph (4)(d).

7. Develop and implement a plan for promoting public awareness of and participation in the program.

8. Secure staff and consultant services necessary to the operation of the program.

9. Establish policies and procedures regarding participation in the program for individuals, vendors, health insurance agents, and employers.

10. Develop a plan, in coordination with the Department of Revenue, to establish tax credits or refunds for employers that participate in the program. The corporation shall submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2009.

(12) REPORT.—Beginning in the 2009-2010 fiscal year, submit by February 1 an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives documenting the corporation's activities in compliance with the duties delineated in this section.

(13) PROGRAM INTEGRITY.—To ensure program integrity and to safeguard the financial transactions made under the auspices of the program, the corporation is authorized to establish qualifying criteria and certification procedures for vendors, require performance bonds or other guarantees of ability to complete contractual obligations, monitor the performance of vendors, and enforce the agreements of the program through financial penalty or disqualification from the program.

Section 5. Subsection (5) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Medikids program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program, subject to the following provisions:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

~~(b) The agency is authorized to place limits on enrollment in Medikids by these children in order to avoid adverse selection. The number of children participating in Medikids whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Medikids program.~~

(b)~~(c)~~ The board of directors of the Florida Healthy Kids Corporation *may* ~~is authorized to place limits on enrollment of these children in order to avoid adverse selection. In addition, the board is authorized to~~ offer a reduced benefit package to these children in order to limit program costs for such families. ~~The number of children participating in the Florida Healthy Kids program whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Florida Healthy Kids program.~~

Section 6. Section 624.1265, Florida Statutes, is created to read:

624.1265 Nonprofit religious organization exemption; authority; notice.—

(1) A nonprofit religious organization is not subject to the requirements of the Florida Insurance Code if the nonprofit religious organization qualifies under Title 26, s. 501 of the Internal Revenue Code of 1986, as amended; limits its participants to members of the same religion; acts as an organizational clearinghouse for information between participants who have financial, physical, or medical needs and participants who have the ability to pay for the benefit of those participants who have financial, physical, or medical needs; provides for the financial or medical needs of a participant through payments directly from one participant to another participant; and suggests amounts that participants may voluntarily give with no assumption of risk or promise to pay among the participants or between the participants.

(2) This section does not prevent the organization described in subsection (1) from establishing qualifications of participation relating to the health of a prospective participant, does not prevent a participant from limiting the financial or medical needs that may be eligible for payment, and does not prevent the organization from canceling the membership of a participant when such participant indicates his or her unwillingness to participate by failing to make a payment to another participant for a period in excess of 60 days.

(3) The religious organization described in subsection (1) shall provide each prospective participant in the organizational clearinghouse written notice that the organization is not an insurance company, that membership is not offered through an insurance company, and that the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code.

Section 7. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida Healthy Kids Corporation, the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program.

13. Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

14. Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

15. Provide information on a quarterly basis to the Legislature and the Governor which compares the costs and utilization of the full-pay enrolled population and the Title XXI-subsidized enrolled population in the Florida Kidcare program. The information, at a minimum, must include:

a. The monthly enrollment and expenditure for full-pay enrollees in the Medikids and Florida Healthy Kids programs compared to the Title XXI-subsidized enrolled population; and

b. The costs and utilization by service of the full-pay enrollees in the Medikids and Florida Healthy Kids programs and the Title XXI-subsidized enrolled population.

By February 1, 2009, the Florida Healthy Kids Corporation shall provide a study to the Legislature and the Governor on premium impacts to the subsidized portion of the program from the inclusion of the full-pay program, which shall include recommendations on how to eliminate or mitigate possible impacts to the subsidized premiums.

16.~~15.~~ Establish benefit packages which conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.820.

Section 8. Effective upon this act becoming a law and applicable to policies issued or renewed on or after October 1, 2008, paragraph (c) of subsection (1) of section 627.602, Florida Statutes, is amended to read:

627.602 Scope, format of policy.—

(1) Each health insurance policy delivered or issued for delivery to any person in this state must comply with all applicable provisions of this code and all of the following requirements:

(c) The policy may purport to insure only one person, except that upon the application of an adult member of a family, who is deemed to be the policyholder, a policy may insure, either originally or by subsequent amendment, any eligible members of that family, including husband, wife, any children or any person dependent upon the policyholder. *If an insurer offers coverage for dependent children of the policyholder, such policy must comply with the provisions of s. 627.6562.*

Section 9. Effective upon this act becoming a law and applicable to policies issued or renewed on or after October 1, 2008, section 627.6562, Florida Statutes, is amended to read:

627.6562 Dependent coverage.—

(1) If an insurer offers coverage *under a group, blanket, or franchise health insurance policy* that insures dependent children of the policyholder or certificateholder, the policy must insure a dependent child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 25, if the child meets all of the following:

(a) The child is dependent upon the policyholder or certificateholder for support.

(b) The child is living in the household of the policyholder or certificateholder, or the child is a full-time or part-time student.

(2) A policy that is subject to the requirements of subsection (1) must also offer the policyholder or certificateholder the option to insure a child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 30, if the child:

(a) Is unmarried and does not have a dependent of his or her own;

(b) Is a resident of this state or a full-time or part-time student; and

(c) Is not provided coverage as a named subscriber, insured, enrollee, or covered person under any other group, blanket, or franchise health insurance policy or individual health benefits plan, or is not entitled to benefits under Title XVIII of the Social Security Act.

(3) If, pursuant to subsection (2), a child is provided coverage under the parent's policy after the end of the calendar year in which the child reaches age 25 and coverage for the child is subsequently terminated, the child is not eligible to be covered under the parent's policy unless the child was continuously covered by other creditable coverage without a gap in coverage of more than 63 days. For the purposes of this subsection, the term "creditable coverage" has the same meaning as provided in s. 627.6561(5).

(4)(~~2~~) ~~Nothing in~~ This section *does not:*

(a) Affect or preempt ~~affects or preempts~~ an insurer's right to medically underwrite or charge the appropriate premium*;*

(b) Require coverage for services provided to a dependent before October 1, 2008;

(c) Require an employer to pay all or part of the cost of coverage provided for a dependent under this section; or

(d) Prohibit an insurer or health maintenance organization from increasing the limiting age for dependent coverage to age 30 in policies or contracts issued or renewed prior to the effective date of this act.

(5)(a) Until April 1, 2009, the parent of a child who qualifies for coverage under subsection (2) but whose coverage as a dependent child under the parent's plan terminated under the terms of the plan before October 1, 2008, may make a written election to reinstate coverage, without proof of insurability, under that plan as a dependent child pursuant to this section.

(b) The covered person's plan may require the payment of a premium by the covered person or dependent child, as appropriate, subject to the approval of the Office of Insurance Regulation, for any period of coverage relating to a dependent's written election for coverage pursuant to paragraph (a).

(c) Notice regarding the reinstatement of coverage for a dependent child as provided under this subsection must be provided to a covered person in the certificate of coverage prepared for covered persons by the insurer or by the covered person's employer. Such notice may be given through the group policyholder.

(6) This section does not apply to accident only, specified disease, disability income, Medicare supplement, or long-term care insurance policies.

Section 10. Effective upon this act becoming a law and applicable to contracts issued or renewed on or after October 1, 2008, subsection (41) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(41) All health maintenance contracts providing coverage for a member of the subscriber's family must comply with the provisions of s. 627.6562.

Section 11. *For the 2008-2009 fiscal year, the following is appropriated from the General Revenue Fund to the Agency for Health Care Administration to fund the Florida Health Choices Program:*

(1) The sum of $325,000 in nonrecurring funds for the salaries and benefits of the chief executive office and staff of Florida Health Choices, Inc., for the 2008-2009 fiscal year.

(2) The sum of $825,000 in nonrecurring funds for costs related to the general administration, marketing, consulting, and other duties of the Florida Health Choices, Inc., for the 2008-2009 fiscal year.

(3) The sum of $350,000 in nonrecurring funds for the third-party administrator functions of Florida Health Choices Inc., during the 2008-2009 fiscal year.

Section 12. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete line(s) 881-981 and insert: An act relating to health insurance; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality of care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; creating s. 408.910, F.S.; establishing the Florida Health Choices Program; providing legislative intent; providing definitions; providing program purpose and components; providing employer eligibility criteria; providing individual eligibility criteria; providing employer enrollment criteria; providing vendor, product, and service eligibility criteria; providing for individual participation regardless of subsequent job status or Medicaid eligibility; providing vendor enrollment criteria; providing for participation by health insurance agents; providing criteria for products available for purchase; providing criteria for product pricing; providing for an administrative surcharge; providing for an exchange process; providing for enrollment periods and changes in selected products; requiring the corporation to establish a website to provide information about products and services; providing methods for the pooling of risk; providing for exemptions from certain statutory provisions, mandated offerings and coverages, and licensing requirements; providing for administrators; creating the Florida Health Choices, Inc.; requiring the department to supervise any liquidation or dissolution of the corporation; providing for corporate governance and board membership and terms; providing for reimbursement for per diem and travel expenses; providing for powers and duties of the corporation; requiring the corporation to coordinate with the Department of Revenue to develop a plan by January 1, 2009, for creating tax exemptions or refunds for participating in the program; requiring the corporation to submit an annual report to the Governor and Legislature; authorizing the corporation to establish and enforce certain program integrity measures; amending s. 409.814, F.S.; revising the eligibility requirements for participation in the Medikids program or the Florida Healthy Kids program; deleting certain limitations; creating s. 624.1265, F.S.; exempting certain nonprofit religious organizations from requirements of the Florida Insurance Code; preserving certain authority of such organizations; requiring such organizations to provide certain notice to prospective participants; providing notice requirements; amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation; amending s. 627.602, F.S.; requiring that individual health insurance policies insuring dependent children of a policyholder comply with certain provisions of state law; amending s. 627.6562, F.S.; requiring group health insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; amending s. 641.31, F.S.; requiring that health maintenance organization contracts providing coverage for a member of the subscriber's family to comply with certain provisions of state law; providing an appropriation; providing an effective date.

On motion by Senator Peaden, the Senate concurred in **House Amendment 1 (364545)** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for CS for SB 2534 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5001

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
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**; provides moneys for annual period beginning July 1, 2008, and ending July 1, 2009, to pay salaries, and other expenses, capital outlay - building, and other improvements, and for other specified purposes of various agencies of state government.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery

s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (137461)(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, 2008, and ending June 30, 2009, 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.

SECTION 1
SPECIFIC
APPROPRIATION

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

The moneys contained herein are appropriated from the named funds for Fiscal Year 2008-2009 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, 62, 67, 70 through 76, and 158 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.

From the funds provided in sections 1 and 2 of this act, the Commissioner of Education shall identify up to $10,145,148 in expenditures to meet the Temporary Assistance for Needy Families (TANF) Block Grant maintenance of effort requirements. The Commissioner of Education 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. The Governor's Office of Policy and Budget shall be responsible for ensuring that the necessary maintenance of effort reports are timely submitted to the Department of Children and Family Services, and shall report any delinquencies to the Legislative Budget Commission.

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 . 166,934,217

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 provided in Specific Appropriation 1 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 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 . 155,000,000

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

SECTION 1
SPECIFIC
APPROPRIATION

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 2008-2009 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 321,934,217

TOTAL ALL FUNDS 321,934,217

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 . 436,175,538

Funds in Specific Appropriation 3 include an annual amount of $375 for college-related expenses for Florida Academic Scholars to be divided equally between the Fall and Spring terms.

4 SPECIAL CATEGORIES
FIRST GENERATION IN COLLEGE MATCHING GRANT PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 7,997,650

From the funds provided in Specific Appropriation 4, $2,000,000 shall be allocated to First Generation in College Matching Grant Programs at community colleges. If required matching funds are not raised by participating community colleges by December 1, 2008, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at state universities which have remaining unmatched private contributions.

5 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 30,869,664

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 74.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 475,042,852

TOTAL ALL FUNDS 475,042,852

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

6 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 184,923,641

Funds in Specific Appropriations 6 and 82 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades pre-kindergarten to grade 3 shall be $1,160.46, for grades 4 to 8 shall be $923.33, and for grades 9 to 12 shall be $925.56. The class size reduction allocation shall be recalculated based on enrollment through the October 2008 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 6 and 82, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

SECTION 1
SPECIFIC
APPROPRIATION

Funds in Specific Appropriations 6 and 82 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 217,406,176

Funds provided in Specific Appropriation 7 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of section 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the Florida School Recognition Program shall be awarded by the Commissioner of Education in the amount of $85 per student in each qualifying school, and

(b) funds remaining after the obligations in paragraph (a) have been fully met shall be allocated to all school districts by prorating the amount of the appropriation on each district's K-12 base funding. From the portion of funds allocated pursuant to this paragraph, school boards must allocate, not later than October 1, 2008, at least $5 per unweighted FTE student to be used at the discretion of the school advisory council pursuant to sections 24.121(5) and 1001.452, Florida Statutes. Council funds must be accounted for and are subject to an annual audit.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 402,329,817

TOTAL ALL FUNDS 402,329,817

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EXCELLENT TEACHING
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 3,000,000

PROGRAM: WORKFORCE EDUCATION

9A AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 7,167,471

Funds in Specific Appropriation 9A are provided for school district workforce education programs as defined in section 1004.02 (26), Florida Statutes, and are allocated in Specific Appropriation 120.

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

10 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE LOTTERY FUNDS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 129,969,062

Funds provided in Specific Appropriation 10 shall be allocated as follows:

Brevard Community College	4,968,876
Broward Community College	9,367,483
Central Florida Community College	2,589,866
Chipola College	1,156,773
Daytona Beach Community College	6,036,391
Edison College	3,115,065
Florida Community College at Jacksonville	9,427,015
Florida Keys Community College	706,976
Gulf Coast Community College	2,303,194

SECTION 1
SPECIFIC
APPROPRIATION

Hillsborough Community College	6,317,973
Indian River Community College	5,523,606
Lake City Community College	1,547,346
Lake-Sumter Community College	1,254,955
Manatee Community College	2,797,011
Miami-Dade College	21,172,553
North Florida Community College	764,819
Okaloosa-Walton College	2,234,678
Palm Beach Community College	6,459,027
Pasco-Hernando Community College	2,337,962
Pensacola Junior College	4,318,702
Polk Community College	2,183,366
St. Johns River Community College	3,336,318
St. Petersburg College	7,404,533
Santa Fe Community College	4,528,123
Seminole Community College	4,449,930
South Florida Community College	1,823,997
Tallahassee Community College	3,757,569
Valencia Community College	8,084,955

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 . 204,384,992

Funds in Specific Appropriation 11 shall be allocated as follows:

University of Florida	36,451,775
Florida State University	31,298,699
Florida A&M University	11,991,929
University of South Florida	28,903,121
University of South Florida, St. Petersburg	1,257,468
University of South Florida, Sarasota/Manatee	1,077,548
Florida Atlantic University	16,632,794
University of West Florida	6,552,055
University of Central Florida	28,700,235
Florida International University	24,540,024
University of North Florida	10,373,831
Florida Gulf Coast University	5,771,049
New College of Florida	834,464

12 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 11,838,821

13 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 4,241,041

14 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 7,026,684

15 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 1,022,947

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS 228,514,485

SECTION 1
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS 228,514,485

TOTAL OF SECTION 1

FROM TRUST FUNDS 1567,957,904

TOTAL ALL FUNDS 1567,957,904

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

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 15A through 28A shall constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the following items are authorized to be expended for the enumerated authorized capital outlay projects.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated to the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2008-2009 appropriation, and shall also apply to the funds appropriated in Specific Appropriations 15A through 28A.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, public school districts, community colleges, public broadcasting, and the Division of Blind Services.

15A FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM CAPITAL IMPROVEMENT FEE PROJECTS
FROM CAPITAL IMPROVEMENTS FEE TRUST FUND . 122,000,000

Funds are provided in Specific Appropriation 15A for the following State University System Capital Improvement Fee Projects:

UF	Southwest Recreational Center Expansion	16,284,523
UF	Reitz Union Rio Ballroom and 2nd Floor Restroom Ren	1,480,000
UF	Campus Security System Enhancement	500,000
UF	Flavet Field Bandshell renovation	450,000
UF	Stephen C. O'Connell Weight Room renovation	68,000
FSU	Barron Building Remodeling - Panama City	207,000
FSU	Allan Bense Atrium Remodeling - Panama City	25,000
FSU	Phase II Rec SportsPlex - Main	3,000,000
FSU	Student Success Building - Main	13,000,000
FSU	Repay Housing Aux Loan for Rec SportsPlex Ph1 Main	4,000,000
FAMU	Recreation Building Phase II - Sports Fields	5,100,000
USF	Student Wellness and Nutrition Center - Tampa	14,876,702
USF	Student Center - Lakeland	393,264

SECTION 2
SPECIFIC
APPROPRIATION

USF Student Courtyard Enhancements - Sarasota	544,691
USF Rec Facilities & Program Expan Maint & Repair-St Pete	798,198
USF Multi-Purpose Center - St. Pete	580,359
FAU Campus Rec & Wellness - Phase I Advance - Boca Raton	4,000,000
FAU Campus Recreation & Wellness - Phase II - Boca Raton	4,433,359
FAU Student Union and Wellness Center Improvements - Davie	350,000
FAU Student Union Renovation - Jupiter	75,000
FAU Renovation to Student Life Building - Treasure Coast	1,038,817
UWF Student Health, Counseling & Wellness Center	4,600,000
UWF Building 54, Athletic & Sports Booster Room	160,000
UWF Building 54 Renovation, Women's Sports Area	400,000
UCF Recreation and Wellness Center Expansion (Indoor)	10,150,000
UCF Recreation and Wellness Center (Outdoor including Lake Claire)	4,000,000
UCF Health Services - Dental Clinic	550,000
UCF Student Union Boardwalk Replacement	500,000
UCF Foundation Statue Project	50,000
UCF Career Services & Experimental Learning Center	6,800,000
UCF SGA and OSI Expansion	600,000
UCF Student Union Master Planning & Minor Projects	347,156
FIU Exp & Ren of East Wing/Lobby, Reception, Rstrms-PharmEd.	5,000,000
FIU Biscayne Bay Impr./ Wolfe Univ. Ctr, play flds, courts.	1,500,000
FIU Graham Center Expansion	703,456
FIU Stadium/Student Meeting Rooms	5,500,000
UNF Student Union	500,000
UNF Campus Recr./Sports Perf. Ctr (New Const.)	4,500,000
FGCU Student Union Addition	3,734,475
FGCU Soccer Field Improvements	400,000
FGCU South Housing recreation fields	300,000
NC Hamilton Ctr (roofing, infras, st. off., cap. equip.)	500,000

16 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM CONSTRUCTION PROJECTS
FROM ANCILLARY FACILITIES CONSTRUCTION TRUST FUND 141,000,000

17 FIXED CAPITAL OUTLAY
VOCATIONAL-TECHNICAL FACILITIES
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 4,500,000

Funds in Specific Appropriation 17 are for the Manatee County Technical Institute.

18 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIR, RENOVATION, AND REMODELING
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 220,435,891

Funds in Specific Appropriation 18 shall be allocated in accordance with section 1013.64(1), Florida Statutes, as follows:

Public Schools	119,129,763
Community Colleges	17,088,020
State University System	29,151,900
Charter Schools	55,066,208

Funds in Specific Appropriation 18 for Charter Schools shall be distributed pursuant to section 1013.62, Florida Statutes.

19 FIXED CAPITAL OUTLAY
SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 150,798,151

From the funds in Specific Appropriation 19, $5,164,974 shall be distributed to developmental research schools and allocated in accordance with section 1002.32(9)(e), Florida Statutes. The remaining funds shall be allocated to school districts and developmental research schools in accordance with section 1013.64(3), Florida Statutes.

SECTION 2
SPECIFIC
APPROPRIATION

20 FIXED CAPITAL OUTLAY
COMMUNITY COLLEGE PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 365,610,508

Funds in Specific Appropriation 20 shall be allocated as follows:

BREVARD COMMUNITY COLLEGE	
Gen ren/rem, Fac 7 Melb,14&16 Cocoa,infrastr & site imprv	4,997,951
BROWARD COMMUNITY COLLEGE	
Gen ren/rem, HVAC,fire sys,ADA,roofs,Bldgs 3-31,site imprv.	6,541,845
Rem/ren Public Safety Bldgs 22 & 6 w/add - Central part	5,106,716
Health Science Simulation Lab Fac - Central part (spce)	4,960,550
CENTRAL FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, HVAC,mech/elec,ADA,roofs,EMS,site imprv	2,179,243
Clsrms/Labs Instruc Ctr Ph 2,Rem/ren w/match-Citrus (ce)	6,175,429
CHIPOLA COLLEGE	
Gen ren/rem, telcom sys,util,site imprv, Bldgs 1 & 410	1,285,429
Rem/ren Student Center Facility - Main	2,437,656
Replace/Perf Arts Bldg 600-life safe&struc-Main comp (ce)	4,662,315
Replace WF Dev Bldg-life safe&struc-Main comp (spce)	3,759,500
DAYTONA BEACH COMMUNITY COLLEGE	
Gen ren/rem, undergrd util,site imprv, therm storage Fac	2,820,712
Major Ren/Rem, Brick Facia-Bldg 200-life safety-Main comp	1,000,000
Land & facilities acquisition - Collegewide (spc)	500,000
EDISON COLLEGE	
Health Sciences Annex addition - Main complete (ce)	14,064,200
Gen ren/rem, energy mgt,Bldg sys renewal,util,site imprv	2,207,947
Rem/ren Clsrms/Labs Bldgs & LRC (5) - Lee & Collier	3,311,234
Allied Health Sci & Clsrms Bldg w/mat-Collier part (spce)	1,300,000
Childcare Ctr & Rem Clsrm w/loc&UF mat-Collier comp (pce)	455,000
FLORIDA COMMUNITY COLLEGE AT JACKSONVILLE	
Gen ren/rem, ADA,HVAC,lights,util,roofs,floors,site imprv	6,186,790
Rem/ren New space w/backfill replacement - Deerwood	4,066,504
Rem/ren Clsrms/Labs Bldgs N,P,Q,R,U & Wlw/addn-South	5,085,278
Fire Trg Burn Ship w/match - South complete (spce)	3,046,875
FLORIDA KEYS COMMUNITY COLLEGE	
Gen ren/rem, chiller Bldg,EMS,telecom,HVAC,site imprv	533,280
Rem/ren Lib,Multimedia & Marine Propul Bldgs - Main part	1,662,201
Repl Jt-Use Ctr Bldg w/loc school match-Marathon (ce) comp.	139,085
GULF COAST COMMUNITY COLLEGE	
Gen ren/rem, HVAC,Health Sci Labs,sec sys, site imprv	1,225,439
Pub Safe/Emerg Op Ctr w/mat(Fed & State)-North Bay comp	2,610,000
Corporate & Tech Training Ctr w/loc match - Main part (ce).	2,900,000
Land & facilities acquisition - Collegewide (spc)	299,953
HILLSBOROUGH COMMUNITY COLLEGE	
Student Services Bldgs - Ybor City complete (ce)	1,851,761
Gen ren/rem, HVAC,ADA,util,comm&security sys,site imprv	2,383,079
Rem/ren Clsrms/Labs Bldg 601,602,606 - Brandon	7,221,025
Land & facilities acquisition - Collegewide partial (spc)	250,000
INDIAN RIVER COMMUNITY COLLEGE	
Gen ren/rem, roofs,ADA,HVAC,utilities,alarms,site imprv	2,163,290
Maj Ren/Rem, Emerg repl-Brick-Bldgs 18 & 19-Main complete	2,100,000
Rem/ren Clsrms/Labs Bldgs 1w/addition,3,6 - Main	1,500,000
Land & facilities acquisition - Collegewide partial (spc)	500,000
Science, Technology, Engineer., Math Ctr - St Lucie West	18,500,000
LAKE CITY COMMUNITY COLLEGE	
Library/Audio-Visual Facility - Main partial (ce)	8,567,391
Gen ren/rem, HVAC,roofs,fire&sec sys,util,road,site imprv	1,142,783
LAKE-SUMTER COMMUNITY COLLEGE	
Gen ren/rem, ADA,HVAC,comm sys,roofs,site imprv	839,138
Maj Ren/Rem, Telecom, Util, Infrastr-Collegewide part	500,000
MANATEE COMMUNITY COLLEGE	
Gen ren/rem,util,HVAC,roofs,soffits,ADA,site imprv	2,243,349
Clsrm/Lab MedTech Bldg w/mat-Lakewd Rch Main complete (ce).	7,988,961
Rem/ren Library Bldg - Main Partial	4,668,793
MIAMI DADE COLLEGE	
Clsrms/Labs,Child Dev&Sup Svcs Fac - Wolfson partial (ce)	13,050,000
Gen ren/rem - collegewide	12,475,180
Rem/ren New space/Clsrms/Labs/Sup Svcs - West partial	4,500,000
Rem/ren Clsrms/Labs/Sup Svcs w/addition - Wolfson	3,800,000
Rem/ren Clsrms/Labs/Sup Svcs Bldgs 1,2,3,5,7&13-North part.	3,231,505
NORTH FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, HVAC,site imp,roofing,handicap access,ADA	518,041

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Rem/ren Sci Bldg,Annex/AV-Dev Ed/Math/InstTech-Conf/PE add.	2,617,758
OKALOOSA-WALTON COLLEGE	
Classrm Bldg - South Walton County Center complete (ce)....	3,899,914
Gen ren/rem,util,energy mgt,parking,site imprv,safety,elec.	1,762,341
Rem/ren Student Svcs w/addition - Main (w/3rd floor LI)....	25,500,000
PALM BEACH COMMUNITY COLLEGE	
Gen ren/rem, EMS,roofs,parkg,utilities,HVAC,lights,rds.....	4,217,076
Rem/ren Clsrms/Labs LRC Bldg 104 2nd Fl - Palm Bch Gardens.	2,643,658
Rem/ren Clsrms/Labs - 110,111,115,205&230-Lk Worth part....	3,080,550
Pub Safe Trg Ctr w/local match -NW Special Purp Ctr part...	3,000,000
PASCO-HERNANDO COMMUNITY COLLEGE	
Clsrms/Labs/Sup Svcs - Spring Hill partial (ce).....	14,970,294
Clsrms/Labs/Sup Svcs - Wesley Chapel Center partial (ce)...	5,053,330
Gen ren/rem, Bldg 2 E,roofs,util,fire safety,HVAC, ADA.....	3,267,440
PENSACOLA JUNIOR COLLEGE	
Gen ren/rem,HVAC,LRC Bldg,roofs,site imprv,lights.....	3,591,520
POLK COMMUNITY COLLEGE	
Gen ren/rem, roofs,comm sys,ADA,chiller,HVAC,EMS.....	1,686,473
Rem/ren LRC & Fine Arts Bldgs - Main partial.....	1,393,891
Land & facilities acquisition - Collegewide part (spc).....	500,000
ST. JOHNS RIVER COMMUNITY COLLEGE	
Gen ren/rem, HVAC,roofs,ADA,fire&sec sys,util, site imprv..	1,263,790
Major Ren/Rem, Environmental Permit - St. Augustine part...	640,000
Rem/ren Science/Tech & Nursing/Health Bldgs - Palatka.....	1,131,392
Health/Sci Prototype Bldg St. Augustine part (spc).....	7,997,000
Rem/ren locker rooms St Johns River complex.....	200,000
ST. PETERSBURG COLLEGE	
Gen ren/rem,roofs,HVAC,ADA,utilities,site improvements.....	4,784,793
Major Ren/Rem, Em repl Chill water loop, infrastr-CL part..	500,000
Rem/ren Library to Stu Svcs w/addition - SP/G.....	4,712,576
Rem/ren Clsrms/Labs/Inst Supp Site Dev Ph 2 w/addn-DT part.	3,826,454
Rem/ren Soc Sci Bldg,Nat Sci w/addn & Bus Tech-CL part.....	746,114
Math/Sci Education Bldg w/Bond match-CL complete (pce).....	2,044,741
Adj land & facilities acq - Collegewide partial (spc).....	250,000
SANTA FE COMMUNITY COLLEGE	
Gen ren/rem, Bldg B,drainage,panels,HVAC,util sys,roofs....	2,421,947
Rem/ren Clsrms/Labs Bldg W - Main.....	1,479,622
Construction Trades Lab Bldg - Main complete (ce).....	1,329,616
SEMINOLE COMMUNITY COLLEGE	
Gen ren/rem,EMS,driving pad,util,comm sys,parking,site dev.	2,174,240
Rem/ren Bldg K Voc Labs to Teaching Labs w/connect- Main...	6,687,330
Rem/ren Bldgs L & F to Clsrms/Labs/Offices - Main.....	3,505,890
Jt-Use Clsrms/Labs/Stu Svcs w/UCF - Sanford partial (ce)...	2,000,000
SOUTH FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, roofing,util,drainage,ADA,site improvement....	1,051,372
Rem/ren Admin,Nursing,Fine Arts & Sci Bldgs w/addn - Main..	4,068,944
TALLAHASSEE COMMUNITY COLLEGE	
Gen ren/rem,roof,infrastr,util,comm sys,HVAC,ADA,site imp..	2,084,836
Allied Health Education Ctr w/match - Main (ce).....	1,453,608
Land & facilities acquisition - Collegewide partial (spc)..	250,000
VALENCIA COMMUNITY COLLEGE	
Allied Health Bldg 10 - West complete (ce).....	15,502,371
Gen ren/rem, parking,elev,clsrms/labs int fin,telecom sys..	3,519,815
Maj Ren/Rem,Emg repl-Chill w/loop,infrastr-East (pc) part..	604,107
Rem/ren Clsrms/Labs Bldgs 1,3,4 - West.....	3,864,000
Jt-Use Clsrms/Labs/Stu Svcs w/UCF - West complete (ce).....	11,250,000
Library & High Tech Bldg 4 - Osceola partial (spc).....	1,066,277
Land acquisition - Southeast Campus partial (spc).....	500,000

21 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 425,234,450

Funds in Specific Appropriation 21 shall be allocated as follows:

UNIVERSITY OF FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	15,000,000
Biomedical Sciences Building (C,E).....	14,443,490
Veterinary Education and Clinical Research Center (C,E)....	22,382,149
Chemistry/Chemical Biology Building (P,C).....	7,608,204
Research & Conference Facility at Lake Nona (P,C).....	6,000,000
FLORIDA STATE UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	8,500,000
College of Education Building Expansion (C,E).....	3,000,000
Ruby Diamond Renovation (C,E).....	10,000,000
Johnston Building Remodeling (C,E).....	29,200,000
Nursing / Health Facility.....	10,000,000
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY	
University Commons Renovation (C,E).....	2,960,430
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)(P,C,E)(P,C,E).....	5,000,000
Multi-Purpose Center Teaching Gymnasium (C,E).....	2,950,000
Tucker Hall Remodeling (C,E).....	7,000,000
Rural Diversity Healthcare - Crestview.....	2,500,000
Pharmacy Building Phase II (P,C,E).....	2,000,000
UNIVERSITY OF SOUTH FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	10,000,000
Sarasota/Manatee Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	1,500,000
USF St. Pete. Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	800,000
Visual & Performing Arts Teaching Facility (C,E).....	19,564,997
Interdisciplinary Science Teaching & Research Facility (C,E)(C,E).....	3,000,000
USF Lakeland New Campus Phase I (P,C,E).....	15,000,000
FLORIDA ATLANTIC UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	7,865,000
FAU/UF Joint Use Facility - Davie (C,E).....	17,447,500
General Classroom/Engineering Building (C,E).....	17,952,000
General Classroom Facility (C,E).....	8,246,000
UNIVERSITY OF WEST FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	5,000,000
College of Business Education Center, ph I of III (P,C,E)..	4,000,000
Natatorium Renovation (P,C,E).....	4,126,000
UNIVERSITY OF CENTRAL FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	12,500,000
VCC-UCF Joint Use Facility (C,E).....	1,125,000
Arts Complex II-Performance (P,C,E).....	7,428,749
Physical Sciences Building Phase II (P,C,E).....	25,773,704
Partnership III Building (P,C,E).....	20,000,000
FLORIDA INTERNATIONAL UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	10,500,000
Science/Classroom Complex - UP (C,E).....	12,000,000
Satellite Chiller Plant - UP (C,E).....	6,000,000
Health Science Laboratory Clinic - UP (C,E).....	7,000,000
Student Academic Support Center - UP (P,C).....	2,500,000
UNIVERSITY OF NORTH FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	6,000,000
Science & Humanities Building Ph. II (P,C,E).....	24,000,000
FLORIDA GULF COAST UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	5,000,000
Hospitality Management Building - Phase 2 (P,C,E).....	5,000,000
Classrooms/Offices/Labs Academic 8 (P,C).....	8,000,016
NEW COLLEGE	
Academic Facility (E).....	961,211
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E).....	4,400,000
Hamilton Center/Hamilton Classroom Remodeling (P,C,E).....	1,500,000
Sea Wall Infrastructure Replacement (P,C,E).....	2,500,000

22 FIXED CAPITAL OUTLAY
SPECIAL FACILITY CONSTRUCTION ACCOUNT
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 14,946,948

Funds in Specific Appropriation 22 shall be allocated in accordance with section 1013.64(2), Florida Statutes, to the following project:

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Hosford Elementary School - Liberty County..... 14,946,948

23 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM CAPITAL IMPROVEMENTS FEE TRUST FUND . 28,500,000
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 980,020,000
FROM SCHOOL DISTRICT AND COMMUNITY
COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT
SERVICE TRUST FUND 105,973,317

Funds provided in Specific Appropriation 23 from the School District and Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2008-2009 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the Constitution of Florida, and any other continuing payments 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 23 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.

24 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

24A FIXED CAPITAL OUTLAY
GRANTS AND AIDS - COMMUNITY COLLEGES
FACILITIES MATCHING PROGRAM
FROM GENERAL REVENUE FUND 8,810,309

Funds in Specific Appropriation 24A shall be provided to the following projects:

INDIAN RIVER COMMUNITY COLLEGE
Homeland Security/Public Service Bldg/Ft. Pierce MainCamp. 2,300,000
IRCC/FSU Medical Facility..... 25,000
MANATEE COMMUNITY COLLEGE
Enhance Rem/Ren Music Education - Bradenton Campus..... 531,377
Enhance Medical Tech Building - Lakewood Ranch Ctr..... 229,052
MIAMI DADE COLLEGE
Land and Facilities Acquisition/Construction/Collegewide.. 5,391,546
PALM BEACH COMMUNITY COLLEGE
Additional Funding for Humanities Technology Bldg - South. 333,334

25 FIXED CAPITAL OUTLAY
FLORIDA SCHOOL FOR THE DEAF AND BLIND -
CAPITAL PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 13,399,103

Funds in Specific Appropriation 25 are for the following projects:

Major Renovations..... 9,545,000
Building Maintenance..... 1,654,410
Campus-wide Systems Maintenance..... 1,760,828
Campus Safety and Code Compliance..... 431,865
Facilities Master Plan..... 7,000

26 FIXED CAPITAL OUTLAY
DIVISION OF BLIND SERVICES - CAPITAL
PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 3,967,100

Funds in Specific Appropriation 26 are provided to construct a technology training building with classrooms and replace roofs for two buildings at the Daytona Beach Rehabilitation Center.

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27 FIXED CAPITAL OUTLAY
JOINT-USE FACILITIES PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 14,795,618

Funds in Specific Appropriation 27 are provided for the following joint-use facilities:

Pensacola Junior College and Santa Rosa School District..... 11,045,618
Valencia Community College and University of Central
Florida..... 3,750,000

28 FIXED CAPITAL OUTLAY
PUBLIC BROADCASTING PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 2,412,231

Funds in Specific Appropriation 28 are for the following projects:

Emergency Services Facility Upgrade..... 598,096
Satellite Antenna Relocation..... 61,904
Satellite Operations Storm Hardened Transmitter Building.... 103,960
Public Broadcasting Facilities..... 1,648,271

28A FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM FACILITY
ENHANCEMENT CHALLENGE GRANTS
FROM ALEC P COURTELIS CAPITAL FACILITIES
MATCHING TRUST FUND 4,889,691

Funds in Specific Appropriation 28A shall be provided to the following projects:

UF Harn Museum Fine Arts (P,C,E)..... 150,000
UF Recec Cattle Research Facility, Ona (P,C,E)..... 10,000
FSU Ringling Circus Museum (P,C,E)..... 3,406,237
FSU Ringling Museum Library Improvements (P,C,E)..... 25,000
FIU Patricia and Phillip Frost Art Museum (C,E)..... 433,000
FIU Graduate School of Business Phase II (P,C,E)..... 573,154
FIU Intl. Hur. Ctr. Wall of Wind Test Fac, Ph II (P,C,E)... 82,300
FIU Engineering Center Lab (P,C,E)..... 10,000
FIU College of Nursing & Health Sciences Laboratory (E).... 200,000

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,810,309
FROM TRUST FUNDS 2626,483,008

TOTAL ALL FUNDS 2635,293,317

VOCATIONAL REHABILITATION

APPROVED SALARY RATE 35,963,106

31 SALARIES AND BENEFITS POSITIONS 1,007.00
FROM GENERAL REVENUE FUND 9,123,903
FROM ADMINISTRATIVE TRUST FUND 193,608
FROM FEDERAL REHABILITATION TRUST FUND . . 35,337,428
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 4,196,405

For funds in Specific Appropriations 31 through 44 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.

32 OTHER PERSONAL SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 819,103

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FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 125,742

33 EXPENSES
FROM FEDERAL REHABILITATION TRUST FUND . . 9,995,222
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 941,142

34 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULTS WITH DISABILITIES
FUNDS
FROM GENERAL REVENUE FUND 16,203,126

Funds provided in Specific Appropriation 34 shall be distributed to community colleges and school districts for programs serving adults with disabilities. Programs that were funded in Fiscal Year 2007-2008 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 34, provided that satisfactory progress was made during the 2007-2008 fiscal year, $14,991,259 is provided for school district adult handicapped programs and shall be allocated as follows:

Alachua	43,029
Baker	188,945
Bay	168,869
Bradford	61,307
Brevard	525,867
Broward	1,600,188
Charlotte	60,890
Citrus	131,467
Collier	45,337
Columbia	45,191
De Soto	281,302
Escambia	256,738
Flagler	930,666
Gadsden	472,459
Gulf	36,975
Hardee	52,370
Hernando	88,018
Hillsborough	498,221
Jackson	1,770,093
Jefferson	66,891
Lake	31,126
Leon	999,474
Martin	358,410
Miami-Dade	1,954,114
Monroe	90,764
Orange	485,483
Osceola	38,306
Palm Beach	1,320,703
Pasco	16,298
Pinellas	650,098
Polk	284,134
St. Johns	118,522
Santa Rosa	42,988
Sarasota	760,464
Sumter	15,082
Suwannee	82,980
Taylor	82,038
Union	90,367
Wakulla	39,902
Washington	205,183

From the funds provided in Specific Appropriation 34, provided that satisfactory progress was made during the 2007-2008 fiscal year, $1,211,867 is provided for community college adult handicapped programs and shall be allocated as follows:

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Central Florida Community College	34,234
Daytona Beach Community College	291,762
Florida Community College at Jacksonville	252,275
Indian River Community College	133,593
Pensacola Junior College	36,975
St. Johns River Community College	44,369
Santa Fe Community College	72,718
Seminole Community College	64,091
South Florida Community College	241,978
Tallahassee Community College	39,872

35 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA ENDOWMENT
FOUNDATION FOR VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 328,292

36 OPERATING CAPITAL OUTLAY
FROM FEDERAL REHABILITATION TRUST FUND . . 480,986
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 49,601

37 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 472,936
FROM FEDERAL REHABILITATION TRUST FUND . . 6,916,039
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 3,213,708

38 SPECIAL CATEGORIES
INDEPENDENT LIVING SERVICES
FROM GENERAL REVENUE FUND 1,365,696
FROM FEDERAL REHABILITATION TRUST FUND . . 4,500,000

Funds provided in Specific Appropriation 38 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, $3,300,000 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

39 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM GENERAL REVENUE FUND 25,956,101
FROM FEDERAL REHABILITATION TRUST FUND . . 81,737,733

40 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL REHABILITATION TRUST FUND . . 386,922
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 34,330

41 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

42 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 216,845
FROM FEDERAL REHABILITATION TRUST FUND . . 765,876

43 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 515,903

44 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION
SERVICES

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FROM FEDERAL REHABILITATION TRUST FUND . .		280,062
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		364
TOTAL: VOCATIONAL REHABILITATION		
FROM GENERAL REVENUE FUND	53,741,782	
FROM TRUST FUNDS		150,805,123
TOTAL POSITIONS	1,007.00	
TOTAL ALL FUNDS		204,546,905

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE 10,135,115

45 SALARIES AND BENEFITS POSITIONS	303.00	
FROM GENERAL REVENUE FUND	4,097,082	
FROM ADMINISTRATIVE TRUST FUND		350,122
FROM FEDERAL REHABILITATION TRUST FUND . .		8,928,214
46 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	156,076	
FROM FEDERAL REHABILITATION TRUST FUND . .		290,354
FROM GRANTS AND DONATIONS TRUST FUND . . .		10,047
47 EXPENSES		
FROM GENERAL REVENUE FUND	440,457	
FROM ADMINISTRATIVE TRUST FUND		16,091
FROM FEDERAL REHABILITATION TRUST FUND . .		2,672,588
FROM GRANTS AND DONATIONS TRUST FUND . . .		44,395
48 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - COMMUNITY REHABILITATION FACILITIES		
FROM GENERAL REVENUE FUND	846,220	
FROM FEDERAL REHABILITATION TRUST FUND . .		4,522,207
49 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	56,832	
FROM FEDERAL REHABILITATION TRUST FUND . .		235,198
50 FOOD PRODUCTS		
FROM FEDERAL REHABILITATION TRUST FUND . .		200,000
51 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL REHABILITATION TRUST FUND . .		100,000
52 SPECIAL CATEGORIES		
GRANTS AND AIDS - CLIENT SERVICES		
FROM GENERAL REVENUE FUND	8,559,186	
FROM FEDERAL REHABILITATION TRUST FUND . .		16,451,694
FROM GRANTS AND DONATIONS TRUST FUND . . .		252,746
53 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	69,840	
FROM FEDERAL REHABILITATION TRUST FUND . .		375,000
54 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	7,228	
FROM FEDERAL REHABILITATION TRUST FUND . .		282,940
55 SPECIAL CATEGORIES		
LIBRARY SERVICES		
FROM GENERAL REVENUE FUND	97,000	
FROM GRANTS AND DONATIONS TRUST FUND . . .		100,000

From the funds in Specific Appropriation 55, $48,500 from the General Revenue Fund is provided for the Braille and Talking Book Library.

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56 SPECIAL CATEGORIES		
VENDING STANDS - EQUIPMENT AND SUPPLIES		
FROM FEDERAL REHABILITATION TRUST FUND . .		1,500,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		595,000
57 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
58 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM FEDERAL REHABILITATION TRUST FUND . .		923,280
59 DATA PROCESSING SERVICES		
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM		
FROM GENERAL REVENUE FUND	1,127	
FROM FEDERAL REHABILITATION TRUST FUND . .		15,838
60 DATA PROCESSING SERVICES		
EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
FROM FEDERAL REHABILITATION TRUST FUND . .		206,343
TOTAL: BLIND SERVICES, DIVISION OF		
FROM GENERAL REVENUE FUND	14,335,384	
FROM TRUST FUNDS		38,185,421
TOTAL POSITIONS	303.00	
TOTAL ALL FUNDS		52,520,805

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Prior to the disbursement of funds in Specific Appropriations 61, 63 through 66, and 68 through 69, each institution shall submit a proposed expenditure plan to the Department of Education. The department shall determine the content and format of the information to be submitted and shall review and approve submitted plans for compliance prior to the disbursement of funds.

61 SPECIAL CATEGORIES		
GRANTS AND AIDS - MEDICAL TRAINING AND SIMULATION LABORATORY		
FROM GENERAL REVENUE FUND	2,776,922	
62 SPECIAL CATEGORIES		
ABLE GRANTS (ACCESS TO BETTER LEARNING AND EDUCATION)		
FROM GENERAL REVENUE FUND	4,439,592	

Funds in Specific Appropriation 62 are provided to support 3,756 students at $1,182 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.

63 SPECIAL CATEGORIES		
HISTORICALLY BLACK PRIVATE COLLEGES		
FROM GENERAL REVENUE FUND	11,510,493	

Funds in Specific Appropriation 63 shall be allocated as follows:

Bethune-Cookman University.....	4,294,266
Edward Waters College.....	3,337,859
Florida Memorial University.....	3,718,513
Library Resources.....	159,855

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Funds provided in Specific Appropriation 63 shall not be expended on promotional materials or on staff development. Each institution shall provide an exact accounting of expenditures to the Department of Education.

Funds in Specific Appropriation 63 for Library Resources shall be used for the purchase of books 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.

64 SPECIAL CATEGORIES
GRANTS AND AIDS - FIRST ACCREDITED MEDICAL SCHOOL UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 8,352,309

Funds in Specific Appropriation 64 shall be allocated as follows:

Cancer Research	1,739,929
PhD Program in Biomedical Science	998,567
College of Medicine	5,613,813

Funds provided in Specific Appropriation 64 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, 2009.

Pursuant to section 1011.52(2)(e), Florida Statutes, funds provided in Specific Appropriation 64 are contingent upon the University of Miami maintaining its current level of affiliation with Jackson Memorial Hospital, including maintaining its current level of services to indigent and charity care patients served by the hospital. The Department of Education shall not disburse funds to the University of Miami until documentation of an annual operating agreement between the University of Miami and Jackson Memorial Hospital for Fiscal Year 2008-2009 is submitted to the Department of Education. Upon receipt of such documentation, the Department of Education shall disburse the funds in accordance with section 1011.52, Florida Statutes.

65 SPECIAL CATEGORIES
ACADEMIC PROGRAM CONTRACTS
FROM GENERAL REVENUE FUND 978,513

Funds in Specific Appropriation 65 shall be allocated by the Department of Education to the following private colleges and universities:

University of Miami - Rosenstiel Marine Science	182,438
University of Miami - BS and MFA in Motion Pictures	317,824
Florida Institute of Technology - BS Engineering and Science Education	258,875
Barry University - BS Nursing and MSW Social Work	140,533
Nova/Southeastern University - MS Speech Pathology	78,843

Each institution shall submit enrollment information, by program, to the Department of Education prior to January 1, 2009.

66 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL DIABETES CENTER - UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 521,509

67 SPECIAL CATEGORIES
FLORIDA RESIDENT ACCESS GRANT
FROM GENERAL REVENUE FUND 97,042,395

Funds in Specific Appropriation 67 shall be used for tuition assistance for qualified Florida residents. Funds are provided to support 34,195 students at $2,837 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.

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68 SPECIAL CATEGORIES
NOVA SOUTHEASTERN UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 5,853,583

From the funds provided in Specific Appropriation 68, $5,744,224 is 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, 2009. The amount of $109,359 is to support rural and unmet needs in these programs.

68A SPECIAL CATEGORIES
GRANTS AND AIDS - PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 800,000

Funds in Specific Appropriation 68A are provided for the Activity-Based Total Accountability Institute at the Florida Institute of Technology.

69 SPECIAL CATEGORIES
LECOM / FLORIDA - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 1,325,745

Funds in Specific Appropriation 69 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, 2009.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 133,601,061

TOTAL ALL FUNDS 133,601,061

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

70 SPECIAL CATEGORIES
PREPAID TUITION SCHOLARSHIPS
FROM GENERAL REVENUE FUND 5,044,000
FROM STUDENT LOAN OPERATING TRUST FUND . . 775,000

71 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY TEACHER SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 3,002,988

72 SPECIAL CATEGORIES
ETHICS IN BUSINESS SCHOLARSHIPS
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 500,000

73 FINANCIAL ASSISTANCE PAYMENTS
MARY MCLEOD BETHUNE SCHOLARSHIP
FROM GENERAL REVENUE FUND 438,011
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 226,442

74 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM GENERAL REVENUE FUND 86,648,890
FROM STUDENT LOAN OPERATING TRUST FUND . . 16,279,806

The funds in Specific Appropriations 5 and 74 are provided pursuant to the following guidelines:

Florida Student Assistance Grant - Public Full & Part Time.	98,546,590
Florida Student Assistance Grant - Private	15,875,417
Florida Student Assistance Grant - Postsecondary	11,066,226
Florida Student Assistance Grant - Career Education	2,152,840

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Children/Spouses of Deceased/Disabled Veterans	1,997,365
Florida Work Experience	1,569,922
Critical Teacher Shortage Program	2,500,000
Rosewood Family Scholarships	90,000

From the funds provided in Specific Appropriations 5 and 74 the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be $1,916.

75 FINANCIAL ASSISTANCE PAYMENTS JOSE MARTI SCHOLARSHIP CHALLENGE GRANT FROM GENERAL REVENUE FUND	172,272	
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		98,667
76 FINANCIAL ASSISTANCE PAYMENTS TRANSFER TO THE FLORIDA EDUCATION FUND FROM GENERAL REVENUE FUND	2,069,980	
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE FROM GENERAL REVENUE FUND	97,376,141	
FROM TRUST FUNDS		17,879,915
TOTAL ALL FUNDS		115,256,056

PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL

77 FINANCIAL ASSISTANCE PAYMENTS STUDENT FINANCIAL AID FROM FEDERAL GRANTS TRUST FUND		2,563,089
77A FINANCIAL ASSISTANCE PAYMENTS TRANSFER DEFAULT FEES TO THE STUDENT LOAN GUARANTY RESERVE TRUST FUND FROM STUDENT LOAN OPERATING TRUST FUND		6,080,000
78 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		11,034,619
TOTAL ALL FUNDS		11,034,619

EARLY LEARNING

PREKINDERGARTEN EDUCATION

79 SPECIAL CATEGORIES TRANSFER VOLUNTARY PREKINDERGARTEN FUNDS TO AGENCY FOR WORKFORCE INNOVATION FROM GENERAL REVENUE FUND	354,349,575	

Funds in Specific Appropriation 79 are provided for transfer to the Agency for Workforce Innovation to implement the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71 (3) (a), Florida Statutes, the base student allocation per full-time equivalent student in the program for Fiscal Year 2008-2009 shall be $2,628. The allocation includes 5 percent in addition to the base student allocation to fund administrative and other program costs of the Early Learning Coalitions relating to the voluntary prekindergarten education program.

The funds in Specific Appropriation 79 shall be allocated as follows:

Alachua	4,002,754
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson	4,796,728
Brevard	10,018,463

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Broward	36,396,554
Charlotte, DeSoto, Highlands, Hardee	5,011,806
Clay, Nassau, Baker, Bradford	6,651,190
Columbia, Hamilton, Lafayette, Union, Suwannee	2,721,753
Dade, Monroe	51,234,870
Dixie, Gilchrist, Levy, Citrus, Sumter	4,158,710
Duval	22,174,199
Escambia	5,718,638
Hendry, Glades, Collier, Lee	17,792,287
Hillsborough	25,076,752
Lake	5,715,312
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor	7,628,671
Manatee	5,883,410
Marion	5,611,878
Martin, Okeechobee, Indian River	5,143,483
Okaloosa, Walton	4,364,896
Orange	24,118,035
Osceola	6,163,055
Palm Beach	22,896,625
Pasco, Hernando	11,437,663
Pinellas	15,226,234
Polk	8,680,013
Putnam, St. Johns	4,386,843
St. Lucie	5,482,867
Santa Rosa	1,994,470
Sarasota	4,907,655
Seminole	9,000,994
Volusia, Flagler	9,952,767

80 SPECIAL CATEGORIES GRANTS AND AIDS- EARLY LEARNING STANDARDS AND ACCOUNTABILITY FROM GENERAL REVENUE FUND	1,704,135	
TOTAL: PREKINDERGARTEN EDUCATION FROM GENERAL REVENUE FUND	356,053,710	
TOTAL ALL FUNDS		356,053,710

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2008-2009 fiscal year are incorporated by reference in the act implementing the 2008-2009 General Appropriations Act. The calculations are the basis for the appropriations made in the General Appropriations Act.

81 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM FROM GENERAL REVENUE FUND	5145,428,488	
FROM PRINCIPAL STATE SCHOOL TRUST FUND		67,985,190

Funds provided in Specific Appropriation 81 shall be allocated using a base student allocation of $3,971.74 for the FEFP.

Funds provided in Specific Appropriation 81 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 $925.58.

From the funds provided in Specific Appropriation 81, 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.

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From the funds provided in Specific Appropriation 81, $39,191,698 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 2008-2009.

Total Required Local Effort for Fiscal Year 2008-2009 shall be $8,267,476,367. The total amount shall include adjustments made for the calculation required in sections 1011.62(4)(a) and (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2008-2009 shall be:

1. 0.498 mills

If a 0.498 mill levy in any school district 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 Appropriation 81, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.498 mill levy, shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.

2. 0.25 mills

An additional levy is authorized not to exceed 0.25 mills, that will raise an amount not to exceed $100 per FTE. District school boards that levy the entire additional 0.25 mills and raise less than $100 per K-12 FTE shall receive, from the funds provided in Specific Appropriation 81, an amount that, when combined with funds raised by the 0.25 mills, will provide $100 per K-12 FTE. To be eligible for state funds provided in this paragraph, a district must levy the full 0.25 mills and the full 0.498 mills.

Funds provided in Specific Appropriation 81 are based upon program cost factors for Fiscal Year 2008-2009 as follows:

1. Basic Programs
   A. K-3 Basic.....1.066
   B. 4-8 Basic.....1.000
   C. 9-12 Basic.....1.052

2. Programs for Exceptional Students
   A. Support Level 4.....3.570
   B. Support Level 5.....4.970

3. English for Speakers of Other
   Languages 1.119

4. Programs for Grades 9-12
   Career Education.....1.077

From the funds in Specific Appropriation 81, $1,079,945,286 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 2008-2009 appropriation shall not be recalculated during the school year. School districts that provided educational services in 2007-2008 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriation 81, 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

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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 1011.61, Florida Statutes, for funding pursuant to section 1011.62, Florida Statutes.

The Declining Enrollment Supplement shall be calculated based on 48.67 percent of the decline between prior year and current year unweighted FTE students.

From the funds in Specific Appropriation 81, $73,587,827 is provided for Safe Schools activities and shall be allocated as follows: $71,538 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (3) alternative school programs for adjudicated youth; (4) suicide prevention programs; and (5) other improvements to make the school a safe place to learn. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity.

From the funds in Specific Appropriation 81, $702,182,550 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62(1)(f), Florida Statutes. First priority for use of these funds shall be the provision of supplemental intensive instruction, consistent with the Sunshine State Standards, including summer school and intensive English immersion instruction, for students in grades 3 and 10 who scored FCAT Level I in FCAT reading or math. Each district's Supplemental Academic Instruction allocation for the 2008-2009 appropriation shall not be recalculated during the school year.

From the funds in Specific Appropriation 81, $111,511,321 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of $95,383 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the state total K-12 base funding.

From the funds in Specific Appropriation 81, $32,072,461 is provided for the Merit Award Program in section 1012.225, Florida Statutes.

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 Appropriation 81 for charter school FTE student enrollment for on-line instruction received by students principally in their own homes. However, charter schools may serve students who are temporarily homebound or who receive a portion of their instruction on-line.

82 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM GENERAL REVENUE FUND 2577,794,315
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 46,361,098

Funds in Specific Appropriations 6 and 82 are provided to implement the requirements of section 1003.03 and section 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be $1,160.46, for grades 4 to 8 shall be $923.33, and for grades 9 to 12 shall be $925.56. The class size

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reduction allocation shall be recalculated based on enrollment through the October 2008 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 6 and 82, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Funds in Specific Appropriations 6 and 82 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

82A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 259,551,440

From the funds provided in Specific Appropriation 82A, the growth allocation per FTE shall be $356.60 for Fiscal Year 2008-2009.

From the funds provided in Specific Appropriation 82A, school districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided in Specific Appropriation 82A, $14,307,419 is provided for Library Media Materials, and $3,910,695 is provided for purchase of science lab materials and supplies.

82B AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT TRANSPORTATION
FROM GENERAL REVENUE FUND 471,078,862

Funds provided in Specific Appropriation 82B shall be used to transport students as provided in section 1011.68, Florida Statutes.

83 AID TO LOCAL GOVERNMENTS
FLORIDA TEACHERS LEAD PROGRAM
FROM GENERAL REVENUE FUND 36,756,829

Funds provided in Specific Appropriation 83 shall be given to teachers pursuant to section 1012.71, Florida Statutes, and shall not be recalculated during the school year.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM GENERAL REVENUE FUND 8490,609,934
FROM TRUST FUNDS 114,346,288

TOTAL ALL FUNDS 8604,956,222

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 85, 101, and 112, 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.

85 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 2,764,596

The funds provided in Specific Appropriation 85 shall be allocated as follows:

Instructional Materials for Partially Sighted Pupils.....	182,208
Sunlink Uniform Library Database.....	800,111
Learning Through Listening.....	911,040
Panhandle Area Educational Consortium (PAEC) for Distance Learning Teacher Training.....	625,000
Instructional Materials Management.....	96,237
Heartland Educational Consortium.....	150,000

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86 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EXCELLENT TEACHING
FROM GENERAL REVENUE FUND 52,253,390

87 AID TO LOCAL GOVERNMENTS
PROFESSIONAL PRACTICES - SUBSTITUTES
FROM GENERAL REVENUE FUND 63,324

Funds provided in Specific Appropriation 87 shall only be used to reimburse members of the Education Practices Commission for travel expenses and per diem and to reimburse school districts for the cost of substitute teachers required to replace commission members when they are carrying out their official duties.

88 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO PUBLIC SCHOOLS
FOR READING PROGRAMS
FROM GENERAL REVENUE FUND 12,500,000
FROM FEDERAL GRANTS TRUST FUND 58,043,873

The funds in Specific Appropriation 88 are provided to continue "Just Read, Florida" to achieve Florida's reading goal for all students to be reading on grade level or higher by 2012.

89 SPECIAL CATEGORIES
EDUCATION INNOVATION INITIATIVES
FROM GENERAL REVENUE FUND 6,000,000

90 SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW
PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND 5,130,346

Funds in Specific Appropriation 90 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.

91 SPECIAL CATEGORIES
GRANTS AND AIDS - MENTORING/STUDENT
ASSISTANCE INITIATIVES
FROM GENERAL REVENUE FUND 12,862,216

Funds provided in Specific Appropriation 91 shall be allocated as follows:

Best Buddies.....	772,986
Take Stock in Children.....	3,360,811
Project to Advance School Success (PASS).....	954,470
Big Brothers, Big Sisters.....	1,915,662
Learning for Life.....	1,747,622
Girl Scouts of Florida.....	537,730
Black Male Explorers.....	403,297
Boys and Girls Clubs.....	1,747,622
Governor's Mentoring Initiative.....	413,772
YMCA State Alliance.....	1,008,244

Funds provided in Specific Appropriation 91 for the Learning for Life program are eligible to be used in any public school.

93 SPECIAL CATEGORIES
KINDERGARTEN THROUGH GRADE EIGHT VIRTUAL
EDUCATION
FROM GENERAL REVENUE FUND 6,559,488

The K-8 virtual schools shall be funded with grants of up to $4,800 per student not to exceed $6,559,488 total funding.

Contingent upon HB 7067 or similar legislation becoming law, each of the K-8 virtual schools that received funds during the 2007-2008 fiscal year from the funds appropriated in Specific Appropriation 99B of chapter 2007-72, Laws of Florida, and are eligible to receive funds from Specific Appropriation 93 of the 2008-2009 General Appropriations Act

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shall provide to the Department of Education the name and address of each student who was enrolled and served during the 2007-2008 fiscal year and who is re-enrolled and is eligible to be served during the 2008-2009 fiscal year. The department shall verify the report and determine whether the number of such students is greater than 1,366. If the number of students is greater than 1,366 the department shall take actions necessary for the K-8 virtual schools to continue to serve each such student during the 2008-2009 fiscal year and to receive funding at the same rate per student. These actions shall include, but are not limited to, authorizing the school district in which the student is a resident to enroll and report the specifically named student in the school district's FTE for the 2008-2009 school year using the definition of K-8 virtual FTE pursuant to section 1011.61, Florida Statutes, as amended by HB 7067, and assisting the school district with executing an appropriate contract with the approved K-8 virtual school for payment for providing virtual instruction for each such student. The maximum number of students to be funded pursuant to this provision is the number being served in 2008-2009 that were also served in 2007-2008 that is greater than 1,366.

94 SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE REACH OUT PROGRAM
FROM GENERAL REVENUE FUND 2,915,319

96 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND 2,903,500

Funds provided in Specific Appropriation 96 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida	577,001
University of Miami	543,327
Florida State University	541,666
University of South Florida	566,336
University of Florida Health Science Center at Jacksonville	675,170

Each center shall provide a report to the Department of Education by September 1, 2008, for the 2007-2008 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.

None of the funds provided in Specific Appropriation 96 for the Florida Diagnostic and Learning Resource Centers shall be used to pay indirect cost.

97 SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND 1,028,058

98 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING GRANTS PROGRAM
FROM GENERAL REVENUE FUND 1,822,080

The funds in Specific Appropriation 98 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, teacher recruitment and retention efforts, technical career education, and/or literacy initiatives. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 98 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.

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99 SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND 61,685

100 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND 6,849,194

Funds provided in Specific Appropriation 100 shall be allocated as follows:

University of South Florida/Florida Mental Health Institute	1,201,265
University of Florida (College of Medicine)	833,023
University of Central Florida	1,028,715
University of Miami (Department of Pediatrics) including $270,806 for activities in Broward County through Nova Southeastern University	1,302,030
Florida Atlantic University	651,484
University of Florida (Jacksonville)	868,099
Florida State University (College of Communications)	964,578

Summaries of achievements for the prior fiscal year shall be submitted to the Department of Education by September 1, 2008.

None of the funds provided in Specific Appropriation 100 for the Autism Program shall be used to pay indirect cost.

101 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND 1,660,750

From the funds provided in Specific Appropriation 101, each regional consortium service organization is eligible to receive, through the Department of Education, an incentive grant for each school district and each eligible member to be used for the delivery of services within the participating school districts, as provided in section 1001.451, Florida Statutes.

102 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND 376,944
FROM FEDERAL GRANTS TRUST FUND 134,580,906

Funds provided in Specific Appropriation 102 from the General Revenue Fund shall be allocated as follows:

Florida Association of District School Superintendents Training	273,312
Principal of the Year	56,120
Teacher of the Year	35,721
School Related Personnel of the Year	11,791

103 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
FROM GENERAL REVENUE FUND 510,183

Funds in Specific Appropriation 103 shall be allocated as follows:

State Science Fair	54,663
Academic Tourney	91,104
Arts for a Complete Education	182,208
Florida Holocaust Museum	182,208

104 SPECIAL CATEGORIES
GRANTS AND AIDS - EXCEPTIONAL EDUCATION
FROM GENERAL REVENUE FUND 2,408,429
FROM FEDERAL GRANTS TRUST FUND 2,333,354

105 SPECIAL CATEGORIES
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND

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FROM GENERAL REVENUE FUND	40,945,113	
FROM FEDERAL GRANTS TRUST FUND		2,565,197
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,733,414

From the funds in Specific Appropriation 105, $600,000 is provided to contract with the University of Florida for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2009, 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 2008-2009 fiscal year.

106 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	159,640,788	
FROM TRUST FUNDS		199,259,605
TOTAL ALL FUNDS		358,900,393

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

107 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,099,420

108 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FEDERAL GRANTS AND AIDS

FROM ADMINISTRATIVE TRUST FUND	553,962
FROM FEDERAL GRANTS TRUST FUND	1512,358,793

109 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM
FROM FOOD AND NUTRITION SERVICES TRUST FUND 615,817,265

110 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH
FROM GENERAL REVENUE FUND 16,886,046

Funds provided in Specific Appropriation 110 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		2132,829,440
TOTAL ALL FUNDS		2149,715,486

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

111 SPECIAL CATEGORIES
CAPITOL TECHNICAL CENTER
FROM GENERAL REVENUE FUND 265,910

112 SPECIAL CATEGORIES
GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY
FROM GENERAL REVENUE FUND 2,853,346

Funds provided in Specific Appropriation 112 shall be allocated as follows:

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Web-Based Instruction Program - NEFEC.....	836,040
On-line Support for Sunshine State Standards/FCAT Explorer..	1,822,080
Statewide Licensing of Video Instructional Programming.....	195,226

113 SPECIAL CATEGORIES
FEDERAL EQUIPMENT MATCHING GRANT
FROM GENERAL REVENUE FUND 176,412

114 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA INFORMATION RESOURCE NETWORK

FROM GENERAL REVENUE FUND	4,219,349	
FROM FEDERAL GRANTS TRUST FUND		14,373,628

The funds provided in Specific Appropriation 114 shall be used to continue the Florida Information Resource Network (FIRN) and shall be used for no other purpose. If funds are insufficient to serve all the bandwidth needs of the current FIRN customers, the Department of Education shall prorate reductions among all FIRN customers. The Department of Management Services shall not charge administrative fees in excess of the actual cost to provide necessary services and administration of the current contract. FIRN services for Internet connectivity to the community colleges and other customers not eligible for E-rate may be provided through MyFlorida.Net.

115 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND 10,568,859

The funds provided in Specific Appropriation 115 shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming.....	611,900
Florida Channel Closed Captioning.....	419,226
Florida Channel Year Round Coverage.....	1,607,075
Public Television and Radio Stations.....	7,930,658

From the funds provided in Specific Appropriation 115, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel".

Funds provided in Specific Appropriation 115 for public television and radio stations shall be allocated in the amount of $508,064 for public television stations and $101,986 each for public radio stations recommended by the Commissioner of Education.

116 SPECIAL CATEGORIES
FETPIP/WORKFORCE DEVELOPMENT MANAGEMENT INFORMATION SYSTEMS
FROM GENERAL REVENUE FUND 173,098

117 SPECIAL CATEGORIES
GRANTS AND AIDS - RADIO READING SERVICES FOR THE BLIND
FROM GENERAL REVENUE FUND 371,626

TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

FROM GENERAL REVENUE FUND	18,628,600	
FROM TRUST FUNDS		14,373,628
TOTAL ALL FUNDS		33,002,228

PROGRAM: WORKFORCE EDUCATION

118 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND 5,986,007

The funds provided in Specific Appropriation 118 shall be allocated as follows:

Alachua.....	13,838
Baker.....	3,494

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Bay	52,256
Bradford	24,111
Brevard	75,475
Broward	927,612
Calhoun	1,687
Charlotte	62,834
Citrus	70,857
Clay	28,834
Collier	105,885
Columbia	13,745
Miami-Dade	1,093,969
De Soto	14,210
Dixie	3,439
Escambia	85,069
Flagler	35,050
Franklin	35
Gadsden	8,450
Gulf	862
Hamilton	1,791
Hardee	1,984
Hendry	9,146
Hernando	23,769
Hillsborough	513,884
Indian River	26,430
Jackson	5,267
Jefferson	1,952
Lafayette	1,467
Lake	107,060
Lee	200,814
Leon	106,048
Liberty	3,157
Manatee	132,630
Marion	104,791
Martin	33,916
Monroe	9,836
Nassau	7,951
Okaloosa	18,122
Orange	526,033
Osceola	85,468
Palm Beach	278,857
Pasco	91,984
Pinellas	443,153
Polk	183,703
Putnam	13,312
St. Johns	106,275
Santa Rosa	40,182
Sarasota	140,666
Sumter	3,727
Suwannee	28,988
Taylor	30,076
Union	2,673
Wakulla	5,278
Walton	7,011
Washington	66,894

119 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULT BASIC EDUCATION
FEDERAL FLOW-THROUGH FUNDS
FROM FEDERAL GRANTS TRUST FUND 41,552,472

120 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 376,797,992

Funds in Specific Appropriations 9A and 120 are provided for school district workforce education programs as defined in section 1004.02 (26), Florida Statutes, and are allocated as follows:

Alachua	1,334,760
Baker	187,292
Bay	3,342,151
Bradford	928,562
Brevard	3,057,824
Broward	66,748,539

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Calhoun	173,544
Charlotte	2,818,638
Citrus	2,731,638
Clay	964,115
Collier	6,972,142
Columbia	322,736
Miami-Dade	95,587,705
DeSoto	866,996
Dixie	68,485
Escambia	5,041,903
Flagler	2,527,377
Franklin	55,678
Gadsden	702,892
Glades	7,099
Gulf	161,701
Hamilton	76,136
Hardee	281,009
Hendry	405,446
Hernando	511,174
Hillsborough	31,898,445
Indian River	953,012
Jackson	520,617
Jefferson	182,802
Lafayette	46,100
Lake	4,482,793
Lee	10,338,989
Leon	5,666,416
Liberty	37,815
Manatee	6,835,621
Marion	3,150,909
Martin	2,320,518
Monroe	866,375
Nassau	189,661
Okaloosa	2,375,092
Orange	33,122,192
Osceola	4,566,436
Palm Beach	15,888,063
Pasco	3,494,090
Pinellas	25,442,996
Polk	10,815,483
Putnam	487,743
Saint Johns	5,959,666
Santa Rosa	1,749,447
Sarasota	10,173,413
Sumter	263,416
Suwannee	992,343
Taylor	1,392,700
Union	163,796
Wakulla	274,179
Walton	164,775
Washington	3,241,816
Washington Special	32,202

From the funds in Specific Appropriations 9A and 120, school district workforce education programs shall strive to maintain and expand apprenticeship programs to the extent possible.

Tuition and fee rates are established for the 2008-2009 fiscal year as follows:

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $1.77 per contact hour for residents. The standard tuition shall be $1.77 per contact hour and the out-of-state fee shall be $5.31 per contact hour for nonresidents.

For adult general education programs, the standard tuition shall be 87 cents per contact hour for residents. The standard tuition shall be 87 cents per contact hour and the out-of-state fee shall be $2.61 per contact hour for nonresidents.

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 will not be made.

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Pursuant to the provisions of section 1009.26 (1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

The funds provided in Specific Appropriations 9A and 120 are not to be used to support K-12 programs or the district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

From the funds provided in Specific Appropriations 9A and 120, each school district 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 school districts.

121 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS
FROM FEDERAL GRANTS TRUST FUND 77,144,852

122 SPECIAL CATEGORIES
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/
SKILL ASSESSMENT AND TRAINING
FROM GENERAL REVENUE FUND 7,000,000

Funds in Specific Appropriation 122 are provided to continue statewide 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, community 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.

From the funds provided in Specific Appropriation 122, $60,000 is provided to the Department of Education for statewide coordination, support, and data collection activities.

From the funds provided in Specific Appropriation 122, $375,000 is provided to the Department of Education to contract with Workforce Florida, Inc. for up to four pilot projects with regional workforce boards, community colleges, universities or other economic development partners to provide business outreach and to profile skills associated with occupations included in the initiative; to provide technical assistance, and other assistance as appropriate to business and education organizations and to students.

From the funds provided in Specific Appropriation 122, $855,000 is provided to the Department of Education to contract with the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, for the implementation of a statewide public awareness communications/media campaign.

From the funds in Specific Appropriation 122, $1,710,000 is provided to the Department of Education for the purchase of a bank of assessments from the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, and for other activities to ensure appropriate progress is made toward statewide implementation.

The balance of funds provided in Specific Appropriation 122 is provided to the Department of Education to contract with the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, for a statewide unlimited usage license for curriculum, a soft-skills assessment component and implementation services.

122A SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL
ENHANCEMENTS
FROM GENERAL REVENUE FUND 360,000

Funds provided in Specific Appropriation 122A shall be used by the department to support school-to-career transition programs for high school students available through one or more non-profit statewide organizations in the lodging and food service industry. Such programs shall be designed to prepare students for progressive careers in the lodging and food service industry. In making its selection from among competitive sealed proposals, the department shall consider, among other factors, the provider's experience in representing the lodging and food service industry, the provider's experience in providing and supporting training for lodging and food service careers for high school students, and the provider's ability to provide a statewide program with broad industry support and participation.

TOTAL: PROGRAM: WORKFORCE EDUCATION
FROM GENERAL REVENUE FUND 390,143,999
FROM TRUST FUNDS 118,697,324

TOTAL ALL FUNDS 508,841,323

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

124 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGES
PROGRAM FUND
FROM GENERAL REVENUE FUND 959,963,185

From the funds provided in Specific Appropriation 124, $957,463,185 is provided for operating funds, including performance incentives, and shall be allocated as follows:

Brevard Community College	35,192,364
Broward Community College	67,049,353
Central Florida Community College	18,435,693
Chipola College	8,754,136
Daytona Beach Community College	45,117,452
Edison College	21,780,924
Florida Community College at Jacksonville	69,963,094
Florida Keys Community College	5,482,319
Gulf Coast Community College	16,567,936
Hillsborough Community College	45,544,246
Indian River Community College	41,235,745
Lake City Community College	11,759,756
Lake-Sumter Community College	9,886,765
Manatee Community College	19,758,836
Miami Dade College	156,031,738
North Florida Community College	5,986,596
Okaloosa-Walton College	16,714,253
Palm Beach Community College	48,037,907
Pasco-Hernando Community College	17,694,007
Pensacola Junior College	31,755,235
Polk Community College	17,671,615
St. Johns River Community College	14,394,840
St. Petersburg College	54,877,829
Santa Fe Community College	32,652,568
Seminole Community College	32,706,652
South Florida Community College	14,823,648
Tallahassee Community College	27,322,544
Valencia Community College	56,986,074
College Center for Library Automation	13,279,060

Beginning with the Fall 2008 semester, tuition and fee rates are established for the 2008-2009 fiscal year as follows:

For advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, the sum of the standard tuition and the technology fee shall be $54.43 per credit hour for residents. The sum of the standard tuition and the technology fee shall be $54.43 per credit hour and the out-of-state fee shall be $163.39 per credit hour for nonresidents.

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $1.77 per contact hour for residents. The standard tuition shall be $1.77 per contact hour and the out-of-state fee shall be $5.31 per contact hour for nonresidents.

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For adult general education programs, the standard tuition shall be 87 cents per contact hour for residents. The standard tuition shall be 87 cents per contact hour and the out-of-state fee shall be $2.61 per contact hour for nonresidents.

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 will not be made.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, community colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

No funds in Specific Appropriation 124 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 124, community colleges shall not report any full-time equivalent (FTE) enrollment for the instruction of students funded in the state grant and aid program for Adults with Disabilities in Specific Appropriation 34.

From the funds in Specific Appropriation 124, $2,500,000 is provided to the St. Petersburg College Foundation for the Government Institute.

From the funds in Specific Appropriation 124 for the College Center for Library Automation, $1,462,113 shall be released at the beginning of the first quarter in addition to the normal release and $2,516,300 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 124, each community 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 community colleges.

From the funds in Specific Appropriation 124, community colleges shall strive to maintain and expand apprenticeship programs to the extent possible.

Each community 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 community college by more than 10 percent during the 2008-2009 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.

125 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
BACCALAUREATE PROGRAMS
FROM GENERAL REVENUE FUND 10,432,501

The funds provided in Specific Appropriation 125 shall be allocated to the following:

Broward Community College	75,000
Chipola College	643,223
Daytona Beach Community College	633,235
Edison College	193,487
Florida Community College at Jacksonville	88,398
Indian River Community College	445,054
Miami Dade College	1,202,262
Okaloosa-Walton College	981,703
Palm Beach Community College	15,000
St. Petersburg College	6,140,139
State College Task Force	15,000

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The funds in Specific Appropriation 125 are provided to support baccalaureate programs approved by the State Board of Education on or before March 28, 2008.

Beginning with the Fall 2008 semester, the sum of the tuition and the technology fee for baccalaureate degree programs is established for the 2008-2009 fiscal year at $69.40 per credit hour for students who are residents. Consistent with section 1009.23(3)(c), Florida Statutes, if the tuition increase provided herein becomes law, the statutory increase for inflation will not be made.

Prior to the disbursement of funds in Specific Appropriation 125, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes.

The funds appropriated in Specific Appropriation 125 shall not be expended to support lower division courses and instruction. Lower division college credit courses in community colleges shall be funded and supported in the Community Colleges Program Fund.

127 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM GENERAL REVENUE FUND 627,495

128 SPECIAL CATEGORIES
GRANTS AND AIDS - DISTANCE LEARNING
FROM GENERAL REVENUE FUND 345,391

TOTAL: PROGRAM: COMMUNITY COLLEGE PROGRAMS
FROM GENERAL REVENUE FUND 971,368,572

TOTAL ALL FUNDS 971,368,572

STATE BOARD OF EDUCATION

Funds provided in Specific Appropriations 129 through 148 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services rendered in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 129 through 148, the Commissioner of Education shall prepare and provide to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, and the Executive Office of the Governor on or before October 1, 2008, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2008-2009 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, 2008, balance of all unexpended federal indirect cost funds.

From the funds in Specific Appropriations 129 though 148, the Commissioner of Education shall prepare and provide to the chairs of the Senate Fiscal Policy and Calendar Committee and the House Policy and Budget Council, and the Executive Office of the Governor on or before September 15, 2008, a report that provides recommendations and options for the continued operation of the Florida Information Resource Network (FIRN). For each option, the report shall, at a minimum, address the following: 1) the total direct and indirect costs for providing bundled and unbundled services, 2) a plan for maximizing the use of federal E-rate funds, 3) a description of how the service needs of current FIRN customers can be achieved, and 4) alternative funding models or sources that can help to reduce or eliminate the need for state funds. In preparing the report, the Commissioner of Education shall collaborate with the Department of Management Services and the Technology Review Workgroup.

APPROVED SALARY RATE 57,314,877

129 SALARIES AND BENEFITS POSITIONS 1,228.00
FROM GENERAL REVENUE FUND 23,738,995
FROM ADMINISTRATIVE TRUST FUND 7,843,639

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FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		3,914,749
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		2,880,824
FROM FEDERAL GRANTS TRUST FUND		13,840,777
FROM FOOD AND NUTRITION SERVICES TRUST FUND		3,277,883
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		1,166,049
FROM STUDENT LOAN OPERATING TRUST FUND		9,992,964
FROM OPERATING TRUST FUND		653,783
FROM WORKING CAPITAL TRUST FUND		6,491,052
130 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	519,606	
FROM ADMINISTRATIVE TRUST FUND		135,012
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		149,999
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		32,000
FROM STUDENT LOAN OPERATING TRUST FUND		250,000
FROM OPERATING TRUST FUND		120,101
FROM WORKING CAPITAL TRUST FUND		40,000
131 EXPENSES		
FROM GENERAL REVENUE FUND	4,848,071	
FROM ADMINISTRATIVE TRUST FUND		1,652,095
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		959,659
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		973,391
FROM FEDERAL GRANTS TRUST FUND		9,485,581
FROM FOOD AND NUTRITION SERVICES TRUST FUND		814,700
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		891,856
FROM STUDENT LOAN OPERATING TRUST FUND		2,938,493
FROM OPERATING TRUST FUND		817,556
FROM WORKING CAPITAL TRUST FUND		1,758,476
132 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	336,622	
FROM ADMINISTRATIVE TRUST FUND		190,094
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		143,440
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		82,438
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		16,375
FROM STUDENT LOAN OPERATING TRUST FUND		518,200
FROM WORKING CAPITAL TRUST FUND		47,921
133 SPECIAL CATEGORIES		
ASSESSMENT AND EVALUATION		
FROM GENERAL REVENUE FUND	33,392,137	
FROM ADMINISTRATIVE TRUST FUND		2,096,131
FROM FEDERAL GRANTS TRUST FUND		30,938,610
FROM SOPHOMORE LEVEL TEST TRUST FUND		116,920
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		5,655,301

From the funds in Specific Appropriation 133, $700,000 from the General Revenue Fund shall be provided to the Department of Education to purchase or develop assessments to evaluate the college readiness of eleventh grade students who may be at risk of needing remediation in reading and mathematics prior to enrollment in postsecondary institutions. The department shall work with school districts to implement the assessments during the 2008-2009 school year. To the maximum extent possible, a school district shall provide twelfth grade students who need remediation and who indicate an interest in postsecondary education with access to appropriate remediation courses to mitigate remediation at the postsecondary level.

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134 SPECIAL CATEGORIES		
COMMISSION FOR INDEPENDENT EDUCATION		
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		1,188,178
135 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	177,647	
136 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,781,385	
FROM ADMINISTRATIVE TRUST FUND		468,008
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		891,591
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		271,017
FROM FEDERAL GRANTS TRUST FUND		1,244,925
FROM FOOD AND NUTRITION SERVICES TRUST FUND		546,535
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		164,134
FROM STUDENT LOAN OPERATING TRUST FUND		14,058,767
FROM OPERATING TRUST FUND		2,000
FROM WORKING CAPITAL TRUST FUND		154,981

From the funds in Specific Appropriation 136, $500,000 from the General Revenue Fund is provided for the administrative responsibilities of the Florida Schools of Excellence Commission. These funds may be used for professional training for charter school teachers and administrators.

137 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHOICES PRODUCT SALES		
FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND		400,000
138 SPECIAL CATEGORIES		
TRANSFER TO GRANTS AND DONATIONS TRUST FUND FOR THE FLORIDA ACADEMIC COUNSELING AND TRACKING SYSTEM FOR STUDENTS (FACTS)		
FROM GENERAL REVENUE FUND	585,932	
139 SPECIAL CATEGORIES		
LITIGATION EXPENSES		
FROM GENERAL REVENUE FUND	41,538	
140 SPECIAL CATEGORIES		
EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		200,000
142 SPECIAL CATEGORIES		
STUDENT FINANCIAL ASSISTANCE MANAGEMENT INFORMATION SYSTEM		
FROM STUDENT LOAN OPERATING TRUST FUND		484,993
143 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	530,140	
FROM ADMINISTRATIVE TRUST FUND		16,651
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		37,911
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		18,786
FROM FEDERAL GRANTS TRUST FUND		92,500
FROM FOOD AND NUTRITION SERVICES TRUST FUND		10,365
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		12,113
FROM STUDENT LOAN OPERATING TRUST FUND		73,598
FROM OPERATING TRUST FUND		1,689
FROM WORKING CAPITAL TRUST FUND		38,198

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144 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		26,254
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

145 SPECIAL CATEGORIES
CENTRALIZED TECHNOLOGY RESOURCES

FROM WORKING CAPITAL TRUST FUND		650,900

146 SPECIAL CATEGORIES
EDUCATION DATA WAREHOUSE

FROM GENERAL REVENUE FUND	830,768	

147 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM

FROM GENERAL REVENUE FUND	1,382,551	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		2,669
FROM FEDERAL GRANTS TRUST FUND		139,537
FROM FOOD AND NUTRITION SERVICES TRUST FUND		2,183
FROM STUDENT LOAN OPERATING TRUST FUND		1,287,698

From funds in Specific Appropriation 147, 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.

148 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES

FROM GENERAL REVENUE FUND	3,122,898	
FROM ADMINISTRATIVE TRUST FUND		799,486
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		928,555
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		322,351
FROM FEDERAL GRANTS TRUST FUND		1,520,305
FROM FOOD AND NUTRITION SERVICES TRUST FUND		273,729
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		89,281
FROM STUDENT LOAN OPERATING TRUST FUND		421,929
FROM OPERATING TRUST FUND		56,264

TOTAL: STATE BOARD OF EDUCATION

FROM GENERAL REVENUE FUND	71,466,332	
FROM TRUST FUNDS		140,187,294
TOTAL POSITIONS	1,228.00	
TOTAL ALL FUNDS		211,653,626

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 11 through 15, and 151 through 158 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.

150 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

FROM GENERAL REVENUE FUND	11,718,645	

Funds in Specific Appropriation 150 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.

151 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES

FROM GENERAL REVENUE FUND	1768,821,787	
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		971,802,867
FROM PHOSPHATE RESEARCH TRUST FUND		7,281,147

The appropriations provided in Specific Appropriations 151 and 153 through 155 from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2008-2009 fiscal year to the named universities to expend tuition and fees that are collected during the 2008-2009 fiscal year and carried forward from the prior fiscal year and that are appropriated into local accounts pursuant to section 1011.4106, Florida Statutes. The expenditure of tuition and fee revenues from local accounts by each university shall not exceed the authority provided by these specific appropriations, unless approved pursuant to the provisions of chapter 216, Florida Statutes. If a court of competent jurisdiction finds that the restriction above is invalid, the appropriation made by section 1011.4106, Florida Statutes, is hereby repealed for the 2008-2009 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 151 through 157 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 151, 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 151 through 158 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

Funds in Specific Appropriation 151 from the General Revenue Fund shall be allocated as follows:

University of Florida	345,417,044
Florida State University	280,174,697
Florida A&M University	104,266,822
University of South Florida	210,244,225
University of South Florida, St. Petersburg	26,100,746
University of South Florida, Sarasota/Manatee	13,508,540
Florida Atlantic University	159,902,071
University of West Florida	59,887,054
University of Central Florida	239,860,389
Florida International University	189,482,186
University of North Florida	76,300,158
Florida Gulf Coast University	47,327,939
New College of Florida	16,349,916

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From the general revenue funds provided in Specific Appropriation 151 to the University of Florida, $300,000 is provided for the purpose of developing a long-range master plan to ensure long-term preservation and interpretation of state-owned historic properties in St. Augustine while facilitating an educational program at the University of Florida as specified in section 267.1735, Florida Statutes. This plan shall be submitted to the Governor, the Speaker of the House Representatives, the President of the Senate, and the Board of Governors prior to February 1, 2009.

From the general revenue funds provided in Specific Appropriation 151 to the University of South Florida, $200,000 is provided to the USF Joint Military Leadership Center to support training programs for ROTC cadets and midshipmen enrolled in Florida public and private colleges and universities.

Funds in Specific Appropriation 151 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

University of Florida	201,901,130
Florida State University	136,170,108
Florida A&M University	52,778,244
University of South Florida	111,948,712
University of South Florida, St. Petersburg	8,042,988
University of South Florida, Sarasota/Manatee	4,451,197
Florida Atlantic University	76,094,024
University of West Florida	28,504,036
University of Central Florida	143,657,275
Florida International University	127,190,299
University of North Florida	47,247,624
Florida Gulf Coast University	29,356,128
New College of Florida	4,461,102

Beginning with the Fall 2008 semester, undergraduate tuition is established at $82.03 per credit hour for the 2008-2009 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 151 from the Phosphate Research Trust Fund are provided for the University of South Florida.

Funds in Specific Appropriation 151 are based upon the following full-time equivalent (FTE) enrollment:

Resident Lower Level	64,088
Resident Upper Level	85,651
Resident Graduate	26,285
Nonresident (all levels)	14,897
Total	190,921

Funding for each university is based upon the following full-time equivalent (FTE) enrollment:

University of Florida;	
Resident Lower Level	10,863
Resident Upper Level	12,707
Resident Graduate	6,695
Nonresident (all levels)	4,049
Total	34,314
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	1,244
Nonresident (all levels)	1,116
Total	8,829
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	4,372
Resident Upper Level	7,827
Resident Graduate	1,911
Nonresident (all levels)	1,129
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
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	8,160
Resident Upper Level	11,682
Resident Graduate	3,273
Nonresident (all levels)	2,136
Total	25,251
University of North Florida;	
Resident Lower Level	3,950
Resident Upper Level	5,107
Resident Graduate	897
Nonresident (all levels)	287
Total	10,241
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, 151, and 153, 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 151 and 153.

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, 2008. This revised 3-year enrollment plan must be developed with input from each state university.

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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 2008-2009 enrollment plan for the State University System.

Funds provided in Specific Appropriation 151 for the University of Florida include no more than that amount which the State Board of Education and the City of Gainesville agree represents the cost of service for water provided by the city to the University of Florida. The amount charged shall reflect a cost-based rate only and shall be determined through a cost of service study completed annually by the city and reviewed by the university. The costs of any General Fund transfer to the City of Gainesville from Gainesville Regional Utilities or any profit to the city or utility shall be specifically excluded as costs allocable to the university. The cost-based rate shall include charges for only those water services actually provided by the city to the university and shall not include charges for services furnished by the university.

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 2008-2009 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.

Reductions to academic programs related to the Institute of Food and Agricultural Sciences at the University of Florida shall not be greater than reductions to other academic programs.

152 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM GENERAL REVENUE FUND 122,452,555

From the funds in Specific Appropriation 152 and any other funds available to the State University System, there shall be no expenditures made pursuant to the consent order, effective April 15, 1986, and amended on June 8, 1987, and as subsequently amended by the joint plan submitted by the Chancellor and the Secretary of the Department of Environmental Protection on October 1, 1993, between the Institute of Food and Agricultural Sciences and the Department of Environmental Protection; provided; however, that funds from the Water Quality Assurance Trust Fund provided specifically for site investigation and clean-up activities may continue to be spent for that purpose.

Funds in Specific Appropriations 12 and 152 are provided for the research and extension services of the Institute of Food and Agricultural Sciences (IFAS) and shall not be transferred or used for any other purpose. The university board of trustees is given flexibility to make necessary adjustments to the budget for IFAS; however, the reductions to appropriations for IFAS made by this act shall be applied toward any other reductions made by the university board of trustees.

153 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM GENERAL REVENUE FUND 60,004,789
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 21,102,386

Funds in Specific Appropriation 153 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

SECTION 2
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APPROPRIATION

154 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM GENERAL REVENUE FUND 93,125,717
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 23,206,140

Funds in Specific Appropriation 154 are based upon the following full-time equivalent enrollment:

Resident Dentistry	321
Resident Veterinary Medicine	332
Resident M.D.	509
Nonresident (all levels)	23

155 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 40,278,706
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 6,031,813

Funds in Specific Appropriation 155 are based upon the following full-time equivalent enrollment:

Resident M.D.	420

156 AID TO LOCAL GOVERNMENTS
UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 9,173,004

157 AID TO LOCAL GOVERNMENTS
FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 11,459,863

158 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT FINANCIAL ASSISTANCE
FROM GENERAL REVENUE FUND 18,917,104

A minimum of 75 percent of the funds provided in Specific Appropriation 158 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 158 shall be allocated as follows:

University of Florida	4,602,866
Florida State University	3,888,310
Florida A&M University	1,654,278
University of South Florida	2,255,542
Florida Atlantic University	1,058,819
University of West Florida	417,972
University of Central Florida	2,274,186
Florida International University	1,432,392
University of North Florida	531,371
Florida Gulf Coast University	259,827
New College of Florida	541,541

159 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTITUTE FOR HUMAN AND MACHINE COGNITION
FROM GENERAL REVENUE FUND 1,600,000

161 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,634,197
FROM PHOSPHATE RESEARCH TRUST FUND 4,155

161A SPECIAL CATEGORIES
GRANTS AND AIDS - DISTANCE LEARNING
FROM GENERAL REVENUE FUND 334,026

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TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM GENERAL REVENUE FUND 2153,520,393
FROM TRUST FUNDS 1029,428,508

TOTAL ALL FUNDS 3182,948,901

BOARD OF GOVERNORS

APPROVED SALARY RATE 3,801,263

162 SALARIES AND BENEFITS POSITIONS 56.00
FROM GENERAL REVENUE FUND 4,447,739
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . 650,242

The positions included in Specific Appropriation 162 shall report to the Board of Governors.

163 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,451
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . 15,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,000

164 EXPENSES
FROM GENERAL REVENUE FUND 695,624
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . 264,799
FROM OPERATIONS AND MAINTENANCE TRUST FUND 12,000

165 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,076
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . 950

166 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 338,130
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . 20,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 3,000

167 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 5,537,045
FROM TRUST FUNDS 973,981

TOTAL POSITIONS 56.00
TOTAL ALL FUNDS 6,511,026

TOTAL OF SECTION 2 POSITIONS 2,594.00

FROM GENERAL REVENUE FUND 12941,720,096

FROM TRUST FUNDS 6594,484,154

TOTAL ALL FUNDS 19536,204,250

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.

SECTION 3
SPECIFIC
APPROPRIATION

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

APPROVED SALARY RATE 14,653,117

168 SALARIES AND BENEFITS POSITIONS 309.00
FROM GENERAL REVENUE FUND 4,151,280
FROM ADMINISTRATIVE TRUST FUND 15,012,499

169 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 200,830
FROM ADMINISTRATIVE TRUST FUND 862,837

170 EXPENSES
FROM GENERAL REVENUE FUND 459,204
FROM ADMINISTRATIVE TRUST FUND 3,611,899

171 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 229,961
FROM ADMINISTRATIVE TRUST FUND 655,710

172 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 842,453
FROM ADMINISTRATIVE TRUST FUND 2,517,985

172A SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 100,000

From the funds in Specific Appropriation 172A, $100,000 in non-recurring general revenue funds is provided for grants to health-related institutions and organizations seeking assistance to deploy outpatient clinic information technology emphasizing case management. Applicants shall be key stakeholders in health care, including municipal or county governments, information technology providers, health plans, hospitals, outpatient clinics, or other interested parties. These applicants must demonstrate a plan to capture patient information at the point of care for patient management, provide real-time access to information, ensure that electronic health records are accessible to all participants, and standardize procedures and reporting. A stated goal of each applicant shall be to reduce health care costs, lower the number of visits to area emergency rooms for non-emergency cases, and promote outpatient clinic use for non-emergency care. Applicants should demonstrate that the recommended technology has a record of proven success in case management and health care cost reduction resulting from operating in outpatient clinics. Applicants may also include a proposed model to deploy the solution to other clinics in Florida.

173 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 33,827
FROM ADMINISTRATIVE TRUST FUND 225,029

174 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 28,766
FROM ADMINISTRATIVE TRUST FUND 100,882

175 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND 664,443

SECTION 3
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TOTAL: PROGRAM: ADMINISTRATION AND SUPPORT
FROM GENERAL REVENUE FUND 6,046,321
FROM TRUST FUNDS 23,651,284

TOTAL POSITIONS 309.00
TOTAL ALL FUNDS 29,697,605

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

Funds in Specific Appropriations 176 through 181 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.

176 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION
FROM GENERAL REVENUE FUND 15,616,296
FROM TOBACCO SETTLEMENT TRUST FUND 60,171,104
FROM MEDICAL CARE TRUST FUND 168,837,377

Funds in Specific Appropriations 176 and 179 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 2007-2008 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.

Funds in Specific Appropriation 176 reflect a reduction of $4,840,546 from the General Revenue Fund and $10,664,086 from the Medical Care Trust Fund as a result of freezing reimbursement rates to the rates in effect on September 30, 2008 for health plans contracting with the Florida Healthy Kids Corporation serving Title XXI eligible children. The corporation shall amend its contracts, effective October 1, 2008 to achieve the reduction.

177 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,212,499
FROM TOBACCO SETTLEMENT TRUST FUND 704,548
FROM GRANTS AND DONATIONS TRUST FUND . . . 409,693
FROM MEDICAL CARE TRUST FUND 4,223,397

Funds in Specific Appropriation 177 reflect a reduction of $100,897 from the General Revenue Fund and $222,284 from the Medical Care Trust Fund to reduce administrative expenditures in the KidCare program. The agency shall amend its contract with the Florida Healthy Kids Corporation to achieve this reduction, effective July 1, 2008.

178 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - FLORIDA HEALTHY KIDS ADMINISTRATION
FROM GENERAL REVENUE FUND 2,306,951
FROM TOBACCO SETTLEMENT TRUST FUND 3,946,147
FROM MEDICAL CARE TRUST FUND 13,930,462

Funds in Specific Appropriation 178 reflect a reduction of $368,186 from the General Revenue Fund and $820,280 from the Medical Care Trust Fund to reduce administrative expenditures in the KidCare program. The agency shall amend its contract with the Florida Healthy Kids Corporation to achieve this reduction, effective July 1, 2008.

179 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION DENTAL SERVICES
FROM GENERAL REVENUE FUND 9,103,284
FROM MEDICAL CARE TRUST FUND 20,280,082

SECTION 3
SPECIFIC
APPROPRIATION

Funds in Specific Appropriation 179 are provided for Florida Healthy Kids dental services to be paid a monthly premium of no more than $12 per member per month.

180 SPECIAL CATEGORIES
MEDIKIDS
FROM GENERAL REVENUE FUND 8,609,576
FROM TOBACCO SETTLEMENT TRUST FUND 7,155,438
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,729,895
FROM MEDICAL CARE TRUST FUND 35,096,176

181 SPECIAL CATEGORIES
CHILDREN'S MEDICAL SERVICES NETWORK
FROM GENERAL REVENUE FUND 17,818,114
FROM TOBACCO SETTLEMENT TRUST FUND 15,619,174
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,705,063
FROM MEDICAL CARE TRUST FUND 74,470,581

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 54,666,720
FROM TRUST FUNDS 417,279,137

TOTAL ALL FUNDS 471,945,857

EXECUTIVE DIRECTION AND SUPPORT SERVICES

Any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through Low Income Pool (LIP) provisions and exemptions to hospital Medicaid rate ceilings shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue or tobacco settlement funds. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

APPROVED SALARY RATE 31,604,955

182 SALARIES AND BENEFITS POSITIONS 743.50
FROM GENERAL REVENUE FUND 14,324,499
FROM MEDICAL CARE TRUST FUND 27,523,226

183 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,851,647
FROM MEDICAL CARE TRUST FUND 23,989,020

184 EXPENSES
FROM GENERAL REVENUE FUND 1,198,078
FROM MEDICAL CARE TRUST FUND 6,780,376

185 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 45,391
FROM MEDICAL CARE TRUST FUND 221,266

186 SPECIAL CATEGORIES
PHARMACEUTICAL EXPENSE ASSISTANCE
FROM GENERAL REVENUE FUND 700,000

Funds in Specific Appropriation 186 reflect a reduction of $152,135 from the General Revenue Fund and represent the unused appropriation amount for the Pharmaceutical Expense Assistance Program based on current participation rates.

187 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 147,739
FROM MEDICAL CARE TRUST FUND 147,738

188 SPECIAL CATEGORIES
CONTRACT NURSING HOME AUDIT PROGRAM
FROM GENERAL REVENUE FUND 827,653
FROM MEDICAL CARE TRUST FUND 1,129,095

SECTION 3
SPECIFIC
APPROPRIATION

189 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	15,310,017	
FROM GRANTS AND DONATIONS TRUST FUND . . .		711,861
FROM MEDICAL CARE TRUST FUND		42,789,887

Funds in Specific Appropriation 189 reflect a reduction of $100,000 from the General Revenue Fund and $100,000 from the Medical Care Trust Fund to eliminate funding for the agency contribution towards the Family Cafe program.

Funds in Specific Appropriation 189 reflect a reduction of $450,000 from the General Revenue Fund as a result of eliminating the contract with the University of Florida, Center for Orphan Auto Immune Disorders.

From the funds in Specific Appropriation 189, $187,500 from the General Revenue Fund and $562,500 from the Medical Care Trust Fund are provided for the agency to contract with a provider to implement a prior authorization process for elective cesarean sections in the Medicaid program.

From the funds in Specific Appropriation 189, the agency may continue to contract with the existing provider for the Medicaid wireless handheld drug information database program.

190 SPECIAL CATEGORIES
MEDICAID FISCAL CONTRACT

FROM GENERAL REVENUE FUND	21,034,206	
FROM MEDICAL CARE TRUST FUND		50,441,554
FROM REFUGEE ASSISTANCE TRUST FUND		107,738

191 SPECIAL CATEGORIES
MEDICAID PEER REVIEW

FROM GENERAL REVENUE FUND	1,093,903	
FROM MEDICAL CARE TRUST FUND		4,403,348

192 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	310,133	
FROM MEDICAL CARE TRUST FUND		313,193

193 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		201,082

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM GENERAL REVENUE FUND	56,948,329	
FROM TRUST FUNDS		158,759,384
TOTAL POSITIONS	743.50	
TOTAL ALL FUNDS		215,707,713

MEDICAID SERVICES TO INDIVIDUALS

194 SPECIAL CATEGORIES
ADULT VISION AND HEARING SERVICES

FROM GENERAL REVENUE FUND	5,343,101	
FROM TOBACCO SETTLEMENT TRUST FUND		501,997
FROM MEDICAL CARE TRUST FUND		7,278,157
FROM REFUGEE ASSISTANCE TRUST FUND		272,828

Funds in Specific Appropriations 194-198, 200, 202, 204-206, 209, 211-213, 215-226, 228, 229, 231, and 241 reflect reductions of $152,743,977 from the General Revenue Fund, $15,724,690 from the Grants and Donations Trust Fund, and $187,174,466 from the Medical Care Trust Fund as a result of eliminating recurring funding for the MEDS AD program, effective July 1, 2008.

From the Funds in Specific Appropriations 194-198, 200, 202, 204-206, 209, 211-213, 215-226, 228, 229, 231, and 241, $152,743,977 in non-recurring tobacco settlement trust funds, $15,724,690 in non-recurring grants and donations trust funds, and $187,174,466 in non-recurring medical care trust funds are provided to restore the MEDS AD program on a non-recurring basis through June 30, 2009.

Funds in Specific Appropriations 194, 195, 197, 198, 202, 204-206, 209-211, 213-217, 220-222, 224, 227 and 229 reflect a reduction of $148,116,811 from the General Revenue Fund, $22,787,406 from the Grants and Donations Trust Fund, and $178,632,923 from the Medical Care Trust Fund as a result of eliminating recurring funding for the Medically Needy program except for pregnant women and children, effective July 1, 2008.

From the funds in Specific Appropriations 194, 195, 197, 198, 202, 204-206, 209-211, 213-217, 220-222, 224, 227 and 229, $148,116,811 in non-recurring tobacco settlement trust funds, $22,787,406 in non-recurring grants and donations trust funds, and $178,632,923 in non-recurring medical care trust funds are provided to restore the Medically Needy program except for pregnant women and children on a non-recurring basis through June 30, 2009.

195 SPECIAL CATEGORIES
CASE MANAGEMENT

FROM GENERAL REVENUE FUND	46,359,525	
FROM TOBACCO SETTLEMENT TRUST FUND		536,312
FROM MEDICAL CARE TRUST FUND		58,393,423
FROM REFUGEE ASSISTANCE TRUST FUND		296

196 SPECIAL CATEGORIES
THERAPEUTIC SERVICES FOR CHILDREN

FROM GENERAL REVENUE FUND	32,772,626	
FROM TOBACCO SETTLEMENT TRUST FUND		9,497
FROM MEDICAL CARE TRUST FUND		40,819,410
FROM REFUGEE ASSISTANCE TRUST FUND		1,799

197 SPECIAL CATEGORIES
COMMUNITY MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND	13,648,237	
FROM TOBACCO SETTLEMENT TRUST FUND		2,082,657
FROM MEDICAL CARE TRUST FUND		22,495,998
FROM REFUGEE ASSISTANCE TRUST FUND		1,462

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.

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 revenue funds required to match the Medicaid funds for these specialized substance abuse services are limited to those funds that are local public tax revenues and are made available to the state for this purpose. As required by Medicaid policy, participating counties shall make these services available to any qualified Florida Medicaid recipient regardless of county of residence. Payment for these services is contingent upon the local matching funds being provided by participating counties.

198 SPECIAL CATEGORIES
ADULT DENTAL SERVICES

FROM GENERAL REVENUE FUND	6,061,954	
FROM TOBACCO SETTLEMENT TRUST FUND		525,161
FROM MEDICAL CARE TRUST FUND		8,202,099
FROM REFUGEE ASSISTANCE TRUST FUND		137,013

199 SPECIAL CATEGORIES
DEVELOPMENTAL EVALUATION AND INTERVENTION/
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FROM MEDICAL CARE TRUST FUND		4,774,095

Funds in Specific Appropriation 199 shall be contingent on the availability of state match being provided in Specific Appropriation 626.

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200 SPECIAL CATEGORIES
EARLY AND PERIODIC SCREENING OF CHILDREN

FROM GENERAL REVENUE FUND	47,395,701	
FROM TOBACCO SETTLEMENT TRUST FUND		5,898
FROM MEDICAL CARE TRUST FUND		59,056,803
FROM REFUGEE ASSISTANCE TRUST FUND		121,030

201 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL ASSISTANCE PROGRAM

FROM GENERAL REVENUE FUND	1,220,185	
FROM GRANTS AND DONATIONS TRUST FUND . . .		5,284,077
FROM MEDICAL CARE TRUST FUND		6,526,504

Funds in Specific Appropriation 201 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.

202 SPECIAL CATEGORIES
FAMILY PLANNING

FROM GENERAL REVENUE FUND	718,386	
FROM TOBACCO SETTLEMENT TRUST FUND		16,221
FROM MEDICAL CARE TRUST FUND		6,611,482
FROM REFUGEE ASSISTANCE TRUST FUND		14,188

203 SPECIAL CATEGORIES
HEALTHY START SERVICES

FROM MEDICAL CARE TRUST FUND		19,384,718

204 SPECIAL CATEGORIES
HOME HEALTH SERVICES

FROM GENERAL REVENUE FUND	79,618,810	
FROM TOBACCO SETTLEMENT TRUST FUND		2,831,319
FROM MEDICAL CARE TRUST FUND		102,670,943
FROM REFUGEE ASSISTANCE TRUST FUND		135,324

From the funds in Specific Appropriation 204, the agency may implement accreditation requirements for Durable Medical Equipment and Consumable Medical Supply providers.

The Agency for Health Care Administration (AHCA) is authorized to develop Requests for Proposals or Invitations to Negotiate for State of Florida Medicaid recipients residing in AHCA Areas 5-11 for the provision of urological and ostomy items. The contract for these services must be awarded by December 1, 2008. The pilot program shall be for a period of 36 months. The agency is authorized to seek any federal Medicaid waivers necessary to implement this provision.

205 SPECIAL CATEGORIES
HOSPICE SERVICES

FROM GENERAL REVENUE FUND	135,966,350	
FROM TOBACCO SETTLEMENT TRUST FUND		5,290,327
FROM MEDICAL CARE TRUST FUND		175,888,984
FROM REFUGEE ASSISTANCE TRUST FUND		35,135

Funds in Specific Appropriation 205 reflect a reduction of $6,768,565 from the General Revenue Fund, $8,428,033 from the Medical Care Trust Fund, and $1,684 from the Refugee Assistance Trust Fund as a result of adjusting nursing home rates.

206 SPECIAL CATEGORIES
HOSPITAL INPATIENT SERVICES

FROM GENERAL REVENUE FUND	37,792,293	
FROM TOBACCO SETTLEMENT TRUST FUND		132,872,660
FROM GRANTS AND DONATIONS TRUST FUND . . .		339,707,854
FROM MEDICAL CARE TRUST FUND		1206,493,489
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		431,570,000
FROM REFUGEE ASSISTANCE TRUST FUND		1,938,539

From the funds in Specific Appropriation 206, $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 350 and 390.

From the funds in Specific Appropriation 206, $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 206 reflect a reduction of $894,813 from the General Revenue Fund and $1,111,495 from the Medical Care Trust Fund based on a policy to expand prior authorization to elective cesarean section services, effective January 1, 2009.

Funds in Specific Appropriation 206 reflect a reduction of $96,179 from the General Revenue Fund and $119,468 from the Medical Care Trust Fund as a result of eliminating payment for preventable hospital errors, effective July 1, 2008. The agency is authorized to seek the necessary waivers or Medicaid state plan amendments to implement this provision.

Funds in Specific Appropriations 206, 211, 215, 220, 221, and 226 include reductions of $36,602,466 from the General Revenue Fund, $44,477,613 from the Medical Care Trust Fund, and $258,737 from the Refugee Assistance Trust Fund, as a result of expanding managed care enrollment by requiring Medipass recipients, in counties with two or more managed care plans, upon open enrollment, to enroll into a managed care plan if the recipient fails to make a choice of plans during the open enrollment choice period, effective October 1, 2008.

Funds in Specific Appropriation 206 reflect a reduction of $68,632,809 from the General Revenue Fund and $85,700,626 from the Medical Care 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.

From the funds in Specific Appropriation 206, $1,000,000 in non-recurring general revenue funds, $200,000 in non-recurring tobacco settlement trust funds, and $1,494,207 in non-recurring Medical Care Trust Funds are provided to exempt any hospital from the inpatient targets and ceilings if that hospital was identified by the Agency for Health Care Administration as qualifying for the exemption pursuant to section 409.905 (5) (c), Florida Statutes in Fiscal Year 2007-08 and that hospital did not receive funding in the final General Appropriations Act for Fiscal Year 2007-08. Any hospital that was exempt under section 409.905 (5) (c), Florida Statutes, in State Fiscal Year 2007-08 is not eligible to receive funds under this section of proviso.

From the funds in Specific Appropriation 206, $46,339,212 from the Grants and Donations Trust Fund and $57,700,329 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equal or exceed 11 percent. For any public hospital that does not qualify for the elimination of the inpatient ceilings under this section of proviso or any other proviso listed, the public hospital shall be exempt from the inpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The agency shall use the average of the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the

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average of the audited DSH data for 2002, 2003 and 2004 that are available. For those hospitals qualifying using audited DSH data received between January 30, 2008 and March 1, 2008 and who were excluded from the LIP Council recommendations may be exempt from the inpatient ceilings contingent on the non-federal share being provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 206, $2,442,391 from the Grants and Donation Trust Fund and $3,041,198 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 206, $51,864,174 from the Grants and Donations Trust Fund and $64,579,863 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, 2008 and any hospitals that becomes a designated or provisional trauma center during State Fiscal Year 2008-2009. 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 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. 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 2002, 2003 and 2004 that are available.

Funds in Specific Appropriation 206 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 206, $4,423,713 from the Grants and Donations Trust Fund and $5,508,287 from the Medical Care Trust Fund are provided to make Medicaid payments to hospitals. These payments shall be used to pay approved liver transplant facilities a global fee for providing transplant services to Medicaid recipients.

From the funds in Specific Appropriation 206, $160,084,271 from the Grants and Donations Trust Fund and $199,332,592 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 206, $20,150,282 in non-recurring funds from the Grants and Donations Trust Fund, $4,806,048 in recurring funds from the Grants and Donations Trust Fund, $25,090,584 in non-recurring funds from the Medical Care Trust Fund, and $5,984,361 in recurring funds 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 $34,484,976 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: $20,000,000 is for Jackson Memorial Hospital; $3,968,662 is for hospitals in Broward Health; $2,376,638 is for hospitals in the Memorial Healthcare System; and $3,428,386 is for Shands Jacksonville and $4,711,290 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

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funds will be used to buy back other Medicaid reductions in the inpatient rate. Of the above funds, $18,125,729 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, $3,420,570 shall be used for the third category to buy back the additional Medicaid trend adjustment that is being applied to rural hospitals under Specific Appropriation 206 for Fiscal Year 2008-2009. 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 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. 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 2002, 2003 and 2004 that are available.

From the funds in Specific Appropriation 206, $49,597,763 from the Grants and Donations Trust Fund and $61,757,790 from the Medical Care Trust Fund are provided for public hospitals, 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 those hospitals whose Medicaid and charity care days divided by total adjusted days exceeds 25 percent 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. For this section of proviso the agency shall use the average of 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. 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 2002, 2003 and 2004 that are available.

207 SPECIAL CATEGORIES
REGULAR DISPROPORTIONATE SHARE
FROM GRANTS AND DONATIONS TRUST FUND . . . 97,501,510
FROM MEDICAL CARE TRUST FUND 121,111,741

Funds in Specific Appropriation 207 shall be used for a Disproportionate Share Hospital Program as provided in section 409.911 and 409.9113, Florida Statutes, and is contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 207, $66,178,407 from the Grants and Donations Trust Fund and $82,203,672 from the Medical Care Trust Fund are provided for payments to public hospitals.

From the funds in Specific Appropriation 207, $25,971,103 from the Grants and Donations Trust Fund and $32,260,069 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 distributed to Tampa General Hospital, and $1,083,512 shall be distributed to Shands Teaching Hospital.

From the funds in Specific Appropriation 207, $5,352,000 from the Grants and Donations Trust Fund and $6,648,000 from the Medical Care Trust Fund are provided for payments to family practice teaching hospitals.

208 SPECIAL CATEGORIES
LOW INCOME POOL
FROM GENERAL REVENUE FUND 250,000
FROM TOBACCO SETTLEMENT TRUST FUND 535,200
FROM GRANTS AND DONATIONS TRUST FUND . . . 446,000,000
FROM MEDICAL CARE TRUST FUND 554,664,800

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From the funds in Specific Appropriation 208, $11,380,758 from the Grants and Donations Trust Fund and $14,136,636 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals providing primary care to low-income individuals, hospitals operating as designated or provisional trauma centers, and rural hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program in Fiscal Year 2003-2004 shall be paid $9,518,238 distributed in the same proportion as the Primary Care DSH payments for State Fiscal Year 2003-2004, excluding Imperial Point Hospital and Memorial Regional Hospital who will receive individual amounts equal to $536,489 and $1,620,659, respectively. Hospitals that are designated or provisional trauma centers shall be paid $9,683,542. Of that amount, $4,237,710 shall be distributed equally among hospitals that are a Level I trauma center; $3,475,563 shall be distributed equally among hospitals that are either a Level II or pediatric trauma center; and $1,970,269 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 $6,315,614 distributed in the same proportion as the DSH payments.

From the funds in Specific Appropriation 208, $389,222,032 from the Grants and Donations Trust Fund and $483,473,107 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 will distribute payments to qualified hospitals based on the amount of local government funding provided for the uninsured and underinsured. Payments to qualified hospitals will be capped at 117.4 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 allocated to the remaining hospitals that qualify for a distribution. All hospitals with accepted 2006 FHURS data are eligible for the second phase of the allocation process.

From the funds in Specific Appropriation 208, $705,996 from the Grants and Donations Trust Fund and $876,956 from the Medical Care Trust Fund are for Medicaid low-income pool payments to specialty pediatric facilities. To qualify for a Medicaid low-income pool payment under this section, a hospital must be licensed as a children's specialty hospital and its combined Medicaid managed care and fee-for-service days as a percentage to total inpatient days must equal or exceed 30 percent. The agency shall use the 2003 Financial Hospital Uniform Reporting System (FHURS) data to determine the combined Medicaid managed care and fee-for-service days. The total Medicaid low-income pool payments made shall be distributed equally to the qualifying hospitals.

From the funds in Specific Appropriation 208, $250,000 from the General Revenue Fund, $33,541,214 from the Grants and Donations Trust Fund and $41,663,301 from the Medical Care Trust Fund is 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	2,388,887
Shands Jacksonville Hospital	32,766,305
All Children's Hospital	4,945,075
Shands Teaching Hospital	4,796,704
Tampa General Hospital	12,990,914
Orlando Regional Medical Center	4,159,665
Lee Memorial Hospital/CMS	886,896
St. Mary's Hospital	195,801
Miami Children's Hospital	4,013,059
Broward General Medical Center	144,898
Tallahassee Memorial Healthcare	40,983
St. Joseph's Hospital	15,852

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Florida Hospital	41,488
Baptist Hospital of Pensacola	321,894
Mt. Sinai Medical Center	6,834,326
Bayfront Medical Center	145,594
Sacred Heart Hospital	327,840
Naples Community Hospital	188,334
Baptist Medical Center - Jacksonville	250,000

From the funds in Specific Appropriation 208, $6,813,210 from the Grants and Donations Trust Fund and $8,463,046 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to Federally Qualified Health Centers. These payments may be used, in collaboration with the Department of Health, to provide funding for Federally Qualified Health Centers supporting primary care services in medically underserved areas.

From the funds in Specific Appropriation 208, $2,921,719 from the Grants and Donations Trust Fund and $3,629,220 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 LIP 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 208, $1,415,071 from the Grants and Donations Trust Fund and $1,757,734 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 208, $535,200 in non-recurring tobacco settlement trust funds and $664,800 in non-recurring medical care trust funds are provided to continue the primary care and emergency room diversion program in Manatee, Sarasota and DeSoto counties.

The agency may make low-income pool Medicaid payments to hospitals in an accelerated manner that is more frequent than on a quarterly basis, subject to the availability of state, local and federal funds.

The agency is authorized to transfer a hospital's low-income pool payments between the various low-income programs listed in this specific appropriation if it is required to obtain approval of the low-income pool payment methodology from the Centers for Medicare and Medicaid Services. Any transfer of funds, however, is contingent on the hospital's net low-income pool payments under the low-income pool plan remaining unchanged.

In the event that the amount of approved non-federal share of matching funds is not provided by local governmental entities, 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 208 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 208 are contingent upon approval from the Centers for Medicare and Medicaid.

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209 SPECIAL CATEGORIES
FREESTANDING DIALYSIS CENTERS

FROM GENERAL REVENUE FUND	5,425,731	
FROM TOBACCO SETTLEMENT TRUST FUND		664,969
FROM MEDICAL CARE TRUST FUND		7,583,975
FROM REFUGEE ASSISTANCE TRUST FUND		25,651

Funds in Specific Appropriation 209 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The agency shall limit payment to $95.00 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 requirements.

Funds in Specific Appropriation 209 reflect a reduction of $865,130 from the General Revenue Fund, $1,077,236 from the Medical Care Trst fund, and $3,644 from the Refugee Assistance Trust Fund as a result of decreasing the payment to Medicaid freestanding dialysis clinics in the Medicaid program from $125 to $95 per visit for each dialysis treatment.

210 SPECIAL CATEGORIES
HOSPITAL INSURANCE BENEFITS

FROM GENERAL REVENUE FUND	59,285,858	
FROM TOBACCO SETTLEMENT TRUST FUND		5,090,369
FROM MEDICAL CARE TRUST FUND		80,159,535

211 SPECIAL CATEGORIES
HOSPITAL OUTPATIENT SERVICES

FROM GENERAL REVENUE FUND	91,211,922	
FROM TOBACCO SETTLEMENT TRUST FUND		25,329,039
FROM GRANTS AND DONATIONS TRUST FUND . . .		71,309,086
FROM MEDICAL CARE TRUST FUND		327,404,515
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		75,000,000
FROM REFUGEE ASSISTANCE TRUST FUND		1,130,101

From the funds in Specific Appropriation 211, $6,681,000 from the Grants and Donations Trust Fund and $8,319,000 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 public hospitals for the cost of providing health care services to Medicaid recipients, when the public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government. Any payments made to public hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, or taxing districts.

Funds in Specific Appropriation 211 reflect a reduction of $16,152,663 from the General Revenue Fund, $20,176,790 from the Medical Care Trust Fund, and $73,998 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.

From the funds in Specific Appropriation 211, $23,576,976 from the Grants and Donations Trust Fund and $29,357,412 from the Medical Care Trust Fund are provided to increase the outpatient cap for adults from

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$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 211, $4,943,712 from the Grants and Donations Trust Fund and $6,155,777 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. For any public hospital that does not qualify for the elimination of the outpatient ceilings under this provision of proviso or any other proviso listed, the public hospital shall be exempt from the outpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The agency shall use the average of the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. 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 2002, 2003 and 2004 that are available. For those hospitals qualifying using audited DSH data received between January 30, 2008 and March 1, 2008 and who were excluded from the Low Income Pool Council recommendations may be exempt from the outpatient ceilings contingent on the non-federal share being provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 211, $210,409 from the Grants and Donation Trust Fund and $261,995 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 211, $6,596,153 from the Grants and Donations Trust Fund and $8,213,350 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, 2008 or become a designated or provisional trauma center during Fiscal Year 2008-2009. 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 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. 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 2002, 2003 and 2004 that are available.

Funds provided for the elimination of hospital outpatient ceilings in Specific Appropriation 211 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 211, $4,849,717 in non-recurring funds from the Grants and Donations Trust Fund and $6,038,736 in non-recurring funds 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 $3,515,024 is provided to the first category of hospitals, which are those hospitals that are part of a

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system that operate a provider service network in the following manner: $831,338 is for hospitals in Broward Health; $823,362 is for hospitals in the Memorial Healthcare System; and $601,863 to Shands Jacksonville and $1,258,461 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, $5,203,232 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 inpatient rate. Of the above funds, $2,170,197 shall be used for the third category to buy back the additional Medicaid trend adjustment that is being applied to rural hospitals under Specific Appropriation 211 for Fiscal Year 2008-2009. 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 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. 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 2002, 2003 and 2004 that are available.

From the funds in Specific Appropriation 211, $8,866,178 from the Grants and Donations Trust Fund and $11,039,925 from the Medical Care Trust Fund are provided for public hospitals, teaching hospitals as defined in s.408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians and those hospitals whose Medicaid and charity care days divided by total adjusted days exceeds twenty five percent 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. For this section of proviso the agency shall use the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. 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 2002, 2003 and 2004 that are available.

212 SPECIAL CATEGORIES
RESPIRATORY THERAPY SERVICES

FROM GENERAL REVENUE FUND	1,803,650	
FROM TOBACCO SETTLEMENT TRUST FUND		294
FROM MEDICAL CARE TRUST FUND		2,246,515

213 SPECIAL CATEGORIES
NURSE PRACTITIONER SERVICES

FROM GENERAL REVENUE FUND	8,535,219	
FROM TOBACCO SETTLEMENT TRUST FUND		597,460
FROM MEDICAL CARE TRUST FUND		11,373,326
FROM REFUGEE ASSISTANCE TRUST FUND		13,370

214 SPECIAL CATEGORIES
BIRTHING CENTER SERVICES

FROM GENERAL REVENUE FUND	598,827	
FROM TOBACCO SETTLEMENT TRUST FUND		3,363
FROM MEDICAL CARE TRUST FUND		749,831

215 SPECIAL CATEGORIES
OTHER LAB AND X-RAY SERVICES

FROM GENERAL REVENUE FUND	24,830,244	
FROM TOBACCO SETTLEMENT TRUST FUND		819,878
FROM MEDICAL CARE TRUST FUND		31,951,644
FROM REFUGEE ASSISTANCE TRUST FUND		504,175

From the funds in Specific Appropriation 215, the agency shall continue a program to assess HIV drug resistance for cost-effective management of anti-retroviral drug therapy.

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From the funds in Specific Appropriation 215, the agency is authorized to implement a utilization management program for outpatient diagnostic imaging services.

216 SPECIAL CATEGORIES
PATIENT TRANSPORTATION

FROM GENERAL REVENUE FUND	51,016,549	
FROM TOBACCO SETTLEMENT TRUST FUND		2,642,812
FROM MEDICAL CARE TRUST FUND		66,815,181
FROM REFUGEE ASSISTANCE TRUST FUND		30,000

Funds in Specific Appropriation 216 reflect a reduction of $1,308,095 from the General Revenue Fund and $1,628,805 from the Medical Care Trust Fund as a result of reducing Medicaid non-emergency transportation.

217 SPECIAL CATEGORIES
PHYSICIAN ASSISTANT SERVICES

FROM GENERAL REVENUE FUND	944,643	
FROM TOBACCO SETTLEMENT TRUST FUND		67,043
FROM MEDICAL CARE TRUST FUND		1,260,534
FROM REFUGEE ASSISTANCE TRUST FUND		8,166

218 SPECIAL CATEGORIES
PERSONAL CARE SERVICES

FROM GENERAL REVENUE FUND	30,825,674	
FROM TOBACCO SETTLEMENT TRUST FUND		43,985
FROM MEDICAL CARE TRUST FUND		38,448,685

Funds in Specific Appropriation 218 reflect a transfer of $9,100,292 from the General Revenue Fund and $11,331,437 from the Medical Care Trust Fund from the Agency for Persons with Disabilities to provide personal care services for children under age 21 through the Medicaid State Plan rather than the Home and Community Based Waiver, effective July 1, 2008.

From the funds in Specific Appropriation 218, $2,748,342 from the General Revenue Fund and $3,422,161 from the Medical Care Trust Fund are provided to increase the rate for personal care assistance to $15 per hour, effective July 1, 2008.

219 SPECIAL CATEGORIES
PHYSICAL REHABILITATION THERAPY

FROM GENERAL REVENUE FUND	8,392,428	
FROM TOBACCO SETTLEMENT TRUST FUND		2,427
FROM MEDICAL CARE TRUST FUND		10,456,673
FROM REFUGEE ASSISTANCE TRUST FUND		762

220 SPECIAL CATEGORIES
PHYSICIAN SERVICES

FROM GENERAL REVENUE FUND	179,642,630	
FROM TOBACCO SETTLEMENT TRUST FUND		110,355,517
FROM MEDICAL CARE TRUST FUND		405,377,333
FROM REFUGEE ASSISTANCE TRUST FUND		2,579,223

From the funds in Specific Appropriation 220, the agency is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

220A SPECIAL CATEGORIES
PREPAID HEALTH PLANS

FROM GENERAL REVENUE FUND	1007,320,524	
FROM TOBACCO SETTLEMENT TRUST FUND		53,823,236
FROM MEDICAL CARE TRUST FUND		1320,285,994
FROM REFUGEE ASSISTANCE TRUST FUND		16,438,179

Funds in Specific Appropriation 220A reflect a reduction of $4,249,132 from the General Revenue Fund and $5,290,903 from the Medical Care Trust Fund as a result of reducing the capitation rates for Medicaid prepaid behavioral health plans, effective September 1, 2008. In establishing prepaid behavioral 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

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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 the reduction, but shall not be reduced below the unit cost used in establishing the budget.

Funds in Specific Appropriation 220A include reductions of $28,943,770 from the General Revenue Fund, $36,047,594 from the Medical Care Trust Fund and $454,663 from the Refugee Assistance Trust Fund to HMO capitation payments as a result of reducing the reimbursement of inpatient and outpatient hospital rates.

Funds in Specific Appropriation 220A include reductions of $827,990 from the General Revenue Fund, $1,031,207 from the Medical Care Trust Fund, and $13,006 from the Refugee Assistance Trust Fund to HMO capitation payments as a result of reducing the Medicaid reimbursement rates for clinic services.

Funds in Specific Appropriation 220A reflect a reduction of $23,950,676 from the General Revenue Fund, $30,102,411 from the Medical Care Trust Fund, and $540,543 from the Refugee Assistance Trust Fund as a result of reducing manage care plan capitation rates, effective September 1, 2008. In establishing HMO rates through the normal process, prior to including this reduction and the reductions in the paragraphs above relating to inpatient, outpatient, and clinic services, 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 HMO rates through the normal process, prior to including this reduction and the reductions in the paragraphs above relating to inpatient, outpatient, and clinic services, 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 the reductions, but shall not be reduced below the unit cost used in establishing the budget.

Funds in Specific Appropriation 220A reflect a reduction of $10,339,538 from the General Revenue Fund and $12,874,512 from the Medical Care Trust Fund as a result of excluding retroactive eligibility payments from HMO capitation payments, effective September 1, 2008.

From the funds in Specific Appropriation 220A, $34,026,867 from the General Revenue Fund, $41,347,864 from the Medical Care Trust Fund, and $240,532 from the Refugee Assistance Trust Fund are provided to expand managed care enrollment by requiring MediPass recipients, in counties with two or more managed care plans, upon open enrollment, to enroll into a managed care plan if the recipient fails to make a choice of plans during the open enrollment choice period, effective October 1, 2008.

221 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS

FROM GENERAL REVENUE FUND	240,945,133	
FROM TOBACCO SETTLEMENT TRUST FUND		21,011,648
FROM GRANTS AND DONATIONS TRUST FUND . . .		490,346,552
FROM MEDICAL CARE TRUST FUND		326,507,309
FROM REFUGEE ASSISTANCE TRUST FUND		2,336,938

Funds in Specific Appropriation 221, reflect a reduction of $4,343,431 from the General Revenue Fund and $5,395,197 from the Medical Care Trust Fund as a result of reducing pharmacy ingredient price reimbursement, effective July 1, 2008.

222 SPECIAL CATEGORIES
MEDICARE PART D PAYMENT

FROM GENERAL REVENUE FUND	403,748,151	
FROM TOBACCO SETTLEMENT TRUST FUND		11,298,991

223 SPECIAL CATEGORIES
PRIVATE DUTY NURSING SERVICES

FROM GENERAL REVENUE FUND	54,914,701	
FROM TOBACCO SETTLEMENT TRUST FUND		140,411
FROM MEDICAL CARE TRUST FUND		68,553,132

224 SPECIAL CATEGORIES
RURAL HEALTH SERVICES

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FROM GENERAL REVENUE FUND	35,475,590	
FROM TOBACCO SETTLEMENT TRUST FUND		1,040,574
FROM MEDICAL CARE TRUST FUND		45,494,693
FROM REFUGEE ASSISTANCE TRUST FUND		109,783

225 SPECIAL CATEGORIES
SPEECH THERAPY SERVICES

FROM GENERAL REVENUE FUND	17,726,382	
FROM TOBACCO SETTLEMENT TRUST FUND		5,160
FROM MEDICAL CARE TRUST FUND		22,080,555
FROM REFUGEE ASSISTANCE TRUST FUND		1,569

226 SPECIAL CATEGORIES
MEDIPASS SERVICES

FROM GENERAL REVENUE FUND	7,107,769	
FROM TOBACCO SETTLEMENT TRUST FUND		129,150
FROM MEDICAL CARE TRUST FUND		9,027,435
FROM REFUGEE ASSISTANCE TRUST FUND		57,743

Funds in Specific Appropriation 226 reflect a reduction of $2,957,808 from the General Revenue Fund, $3,683,986 from the Medical Care Trust Fund and $23,441 from the Refugee Assistance Trust Fund as a result of reducing the Medipass case management payment to $2.00, effective September 1, 2008. The agency is authorized to amend the Medicaid state plan or federal waivers to implement this reduction.

227 SPECIAL CATEGORIES
SUPPLEMENTAL MEDICAL INSURANCE

FROM GENERAL REVENUE FUND	432,797,099	
FROM TOBACCO SETTLEMENT TRUST FUND		4,287,629
FROM MEDICAL CARE TRUST FUND		509,969,315

228 SPECIAL CATEGORIES
OCCUPATIONAL THERAPY SERVICES

FROM GENERAL REVENUE FUND	11,663,853	
FROM TOBACCO SETTLEMENT TRUST FUND		7,113
FROM MEDICAL CARE TRUST FUND		14,533,420
FROM REFUGEE ASSISTANCE TRUST FUND		562

229 SPECIAL CATEGORIES
CLINIC SERVICES

FROM GENERAL REVENUE FUND	46,612,289	
FROM TOBACCO SETTLEMENT TRUST FUND		603,373
FROM MEDICAL CARE TRUST FUND		58,791,661
FROM REFUGEE ASSISTANCE TRUST FUND		827,373

Funds in Specific Appropriation 229 reflect a reduction of $3,276,687 from the General Revenue Fund, $4,092,577 from the Medical Care Trust Fund, and $57,516 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.

230 SPECIAL CATEGORIES
MEDICAID SCHOOL REFINANCING

FROM MEDICAL CARE TRUST FUND		80,000,000

TOTAL: MEDICAID SERVICES TO INDIVIDUALS

FROM GENERAL REVENUE FUND	3127,972,034	
FROM TRUST FUNDS		8200,055,885
TOTAL ALL FUNDS		11328,027,919

MEDICAID LONG TERM CARE

231 SPECIAL CATEGORIES
ASSISTIVE CARE SERVICES

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FROM MEDICAL CARE TRUST FUND 32,871,249

Funds in Specific Appropriation 231 are provided to implement Medicaid coverage for Assistive Care Services and are contingent on the availability of state match being provided in Specific Appropriation 446.

232 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES
FROM GENERAL REVENUE FUND 17,959,392
FROM MEDICAL CARE TRUST FUND 898,996,196

Funds in Specific Appropriation 232 and 241 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.

233 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM MEDICAL CARE TRUST FUND 35,165,610

234 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/MENTALLY
RETARDED - SUNLAND CENTER
FROM MEDICAL CARE TRUST FUND 96,991,013

235 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/
DEVELOPMENTALLY DISABLED COMMUNITY
FROM GENERAL REVENUE FUND 106,955,235
FROM MEDICAL CARE TRUST FUND 133,177,758

Funds in Specific Appropriation 235 reflect a reduction of $2,743,778 from the General Revenue Fund and $3,416,478 from the Medical Care Trust Fund as a result of modifying the reimbursement for intermediate care facilities for the developmentally disabled, effective October 1, 2008. The agency shall implement a recurring methodology in the Title XIX Intermediate Care Facility for the Mentally Retarded and Developmentally Disabled for Community Owned and Operated Facilities 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.

236 SPECIAL CATEGORIES
NURSING HOME CARE
FROM GENERAL REVENUE FUND 999,422,144
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,604,135
FROM MEDICAL CARE TRUST FUND 1282,986,471

From the funds in Specific Appropriation 236, $4,822,535 from the Grants and Donations Trust Fund and $5,990,324 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 necessary to implement this provision.

Funds in Specific Appropriation 236 include a reduction of $39,443,778 from the General Revenue Fund and $49,114,322 from the Medical Care Trust Fund as a result of expanding the Nursing Home Diversion Program, effective July 1, 2008.

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Funds in Specific Appropriation 236 reflect a reduction of $72,896,366 from the General Revenue Fund and $90,768,579 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.

237 SPECIAL CATEGORIES
STATE MENTAL HEALTH HOSPITAL PROGRAM
FROM MEDICAL CARE TRUST FUND 9,093,492

238 SPECIAL CATEGORIES
MENTAL HEALTH HOSPITAL DISPROPORTIONATE
SHARE
FROM MEDICAL CARE TRUST FUND 62,290,337

239 SPECIAL CATEGORIES
T.B. HOSPITAL DISPROPORTIONATE SHARE
FROM MEDICAL CARE TRUST FUND 2,444,444

240 SPECIAL CATEGORIES
COMMUNITY SUPPORTED LIVING WAIVER
FROM MEDICAL CARE TRUST FUND 74,557,478

241 SPECIAL CATEGORIES
CAPITATED NURSING HOME DIVERSION WAIVER
FROM GENERAL REVENUE FUND 135,608,375
FROM TOBACCO SETTLEMENT TRUST FUND 991,995
FROM MEDICAL CARE TRUST FUND 169,772,831

From the funds in Specific Appropriation 241, $27,549,389 from the General Revenue Fund and $34,303,751 from the Medical Care Trust Fund are provided to expand the current Nursing Home Diversion Program by an additional 4,000 slots, effective July 1, 2008. The agency is authorized to seek the necessary federal waivers to implement this provision.

From the funds in Specific Appropriation 241, the 150 unused PACE slots shall be re-allocated as follows: 50 slots each to Miami-Dade County, Lee County, and Pinellas County.

TOTAL: MEDICAID LONG TERM CARE
FROM GENERAL REVENUE FUND 1259,945,146
FROM TRUST FUNDS 2805,943,009

TOTAL ALL FUNDS 4065,888,155

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION

APPROVED SALARY RATE 27,462,108

244 SALARIES AND BENEFITS POSITIONS 632.00
FROM GENERAL REVENUE FUND 1,863,604
FROM HEALTH CARE TRUST FUND 34,253,147

245 OTHER PERSONAL SERVICES
FROM HEALTH CARE TRUST FUND 114,276

246 EXPENSES
FROM GENERAL REVENUE FUND 705,937
FROM HEALTH CARE TRUST FUND 7,195,334

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247	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	24,511	
	FROM HEALTH CARE TRUST FUND		62,543
248	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM HEALTH CARE TRUST FUND		959,065
249	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	34,692	
	FROM HEALTH CARE TRUST FUND		2,358,904
	FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND		1,000,000

Funds in Specific Appropriation 249 reflect a reduction of $750,000 from the General Revenue Fund as a result of eliminating the contract with the patient safety corporation, effective July 1, 2008.

From the funds in Specific Appropriation 249, $342,000 in non-recurring funds from the Health Care Trust Fund is provided for the operation of an organ and tissue donor registry and education program required in Senate Bill 2630 or similar legislation. This funding is contingent upon Senate Bill 2630 or similar legislation becoming law.

251	SPECIAL CATEGORIES		
	EMERGENCY ALTERNATIVE PLACEMENT		
	FROM HEALTH CARE TRUST FUND		1,276,720
252	SPECIAL CATEGORIES		
	MEDICAID SURVEILLANCE		
	FROM HEALTH CARE TRUST FUND		111,820
253	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	17,088	
	FROM HEALTH CARE TRUST FUND		457,193
254	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	13,071	
	FROM HEALTH CARE TRUST FUND		240,115
TOTAL: HEALTH CARE REGULATION			
	FROM GENERAL REVENUE FUND	2,658,903	
	FROM TRUST FUNDS		48,029,117
	TOTAL POSITIONS	632.00	
	TOTAL ALL FUNDS		50,688,020

AGENCY FOR PERSONS WITH DISABILITIES

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 11,565,153

255	SALARIES AND BENEFITS POSITIONS	338.00	
	FROM GENERAL REVENUE FUND	8,582,590	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,396,387
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		173,382
256	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,591,541	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,058,170
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		480,150

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257	EXPENSES		
	FROM GENERAL REVENUE FUND	1,035,585	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,123,840
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		193,061
258	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	26,866	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		26,334
259	SPECIAL CATEGORIES		
	GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS		
	FROM GENERAL REVENUE FUND	980,000	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		16,856,771

Funds from Specific Appropriation 259 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there is no reduction in the number of persons served or level of services provided.

260	SPECIAL CATEGORIES		
	ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED		
	FROM GENERAL REVENUE FUND	4,000,000	
261	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	148,684	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		23,875
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		36,717
262	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,397,500	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		500,000

In addition to existing recurring projects, the following projects in Specific Appropriation 262 are funded from non-recurring operations and maintenance trust funds:

Applied Behavioral Analysis Therapy - Broward, Miami-Dade Palm Beach.....	200,000
Hillsborough Association for Retarded Citizens-Hillsborough.	300,000

From the funds in Specific Appropriation 262, the following projects are funded from non-recurring general revenue funds:

Dream Oaks Camp for Special Needs - Manatee.....	50,000
Family Cafe - Statewide.....	50,000

263	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES WAIVER		
	FROM GENERAL REVENUE FUND	335,649,443	
	FROM TOBACCO SETTLEMENT TRUST FUND		4,264,800
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		423,461,729

Funds from Specific Appropriation 263 and 266 shall not be used for administrative costs.

Funds in Specific Appropriation 263 for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there is no reduction in the number of persons served or level of services provided.

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From the funds in Specific Appropriation 263, the agency shall only serve additional clients on the Home and Community Based Services Waiver if they are in crisis and sufficient funding is made available through attrition.

Funds in Specific Appropriation 263 reflect a transfer of $9,100,292 from the General Revenue Fund and $11,331,437 from the Operations and Maintenance Trust Fund to the Agency for Health Care Administration as result of providing personal care services for children under age 21 through the Medicaid State Plan rather than the Home and Community Based Waiver, effective July 1,2008.

Funds in Specific Appropriations 263 and 266 reflect a reduction of $19,394,742 from the General Revenue Fund and $24,149,807 from the Operations and Maintenance Trust Fund as a result of reducing provider rates, effective July 1,2008. Personal Care Assistance is specifically excluded from this reduction target. The agency shall amend provider contracts, cost plans and rules as necessary to achieve this recurring reduction.

Funds in Specific Appropriation 263, reflect a reduction of $5,525,522 from the General Revenue Fund and $6,880,230 from the Operations and Maintenance Trust Fund as a result of reducing the hourly rate for personal care assistance to $15 per hour effective July 1, 2008. The agency shall amend provider contracts, cost plans and rules as necessary in order to achieve this recurring reduction.

From the funds in Specific Appropriation 263, $4,264,800 in non-recurring funds from the Tobacco Settlement Trust Fund, and $5,310,413 in non-recurring funds from the Operations and Maintenance Trust Fund are provided to continue providing services in the Home and Community Based Services Waiver. Release of these funds is contingent upon the agency submitting a spending plan to the Legislative Budget Commission for approval.

264	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	288,661	
266	SPECIAL CATEGORIES COMMUNITY SUPPORTED LIVING WAIVER FROM GENERAL REVENUE FUND	31,246,501	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		38,907,297
267	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	6,366	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,914
TOTAL:	HOME AND COMMUNITY SERVICES FROM GENERAL REVENUE FUND	385,953,737	
	FROM TRUST FUNDS		494,507,427
	TOTAL POSITIONS	338.00	
	TOTAL ALL FUNDS		880,461,164

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 14,127,356

268	SALARIES AND BENEFITS POSITIONS	320.50	
	FROM GENERAL REVENUE FUND	11,129,769	
	FROM ADMINISTRATIVE TRUST FUND		182,143
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		7,117,477
269	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	1,912	
	FROM FEDERAL GRANTS TRUST FUND		447,000

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270	EXPENSES FROM GENERAL REVENUE FUND	1,430,526	
	FROM ADMINISTRATIVE TRUST FUND		284
	FROM FEDERAL GRANTS TRUST FUND		95,181
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,403,792
271	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	42,600	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,800
272	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	670,519	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		15,551
273	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	236,392	
	FROM ADMINISTRATIVE TRUST FUND		812
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		65,203
274	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	499,402	
	FROM FEDERAL GRANTS TRUST FUND		429,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		337,884
275	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES FROM GENERAL REVENUE FUND	112,000	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		844,842
277	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	238,807	
278	SPECIAL CATEGORIES HOME AND COMMUNITY SERVICES ADMINISTRATION FROM GENERAL REVENUE FUND	3,515,100	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		7,862,828

From the funds in Specific Appropriation 278, $3,135,802 in non-recurring funds from the Operations and Maintenance Trust Fund are provided to complete assessments using the Questionnaire for Situational Information for all clients receiving services through the Home and Community Based Services Waivers during the 2008-2009 fiscal year. Any unused funds shall be used to assess individuals on the waitlist for waiver services.

The agency shall provide information on the assessment process, the demonstrated reliability and validity of the assessment tool, the scoring of the assessments, the number of assessments conducted, the plans for using the data collected through the assessments, and the cost of the assessments. A report shall be submitted to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by October 1, 2009.

279	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	873,757	
	FROM ADMINISTRATIVE TRUST FUND		2,204
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		708,788

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280	DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER FROM GENERAL REVENUE FUND	921,292	
TOTAL:	PROGRAM MANAGEMENT AND COMPLIANCE FROM GENERAL REVENUE FUND	19,672,076	
	FROM TRUST FUNDS		19,516,789
	TOTAL POSITIONS	320.50	
	TOTAL ALL FUNDS		39,188,865

DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES

APPROVED SALARY RATE 91,421,091

281	SALARIES AND BENEFITS POSITIONS	3,057.50	
	FROM GENERAL REVENUE FUND	60,283,355	
	FROM ADMINISTRATIVE TRUST FUND		40,297
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		53,833,724
282	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	1,098,359	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,856,526
283	EXPENSES FROM GENERAL REVENUE FUND	4,509,818	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,798,554
284	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	188,147	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		444,195
285	FOOD PRODUCTS FROM GENERAL REVENUE FUND	1,272,706	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,411,462
286	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	1,780,825	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		840,903
287	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES FROM GENERAL REVENUE FUND	2,774,967	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,929,060
288	SPECIAL CATEGORIES PRESCRIBED MEDICINE/DRUGS FROM GENERAL REVENUE FUND	191,401	
289	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	2,340,061	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,535,093
289A	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	25,000	
TOTAL:	DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES FROM GENERAL REVENUE FUND	74,464,639	
	FROM TRUST FUNDS		69,689,814

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TOTAL POSITIONS	3,057.50	
TOTAL ALL FUNDS		144,154,453

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

From the funds in Specific Appropriations 290 through 469, any expenditures from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

The Governor's Office of Policy and Budget shall be responsible for ensuring that the necessary maintenance of effort reports are timely submitted to the Department of Children and Family Services, and shall report any delinquencies to the Legislative Budget Commission.

In order to implement Specific Appropriations 290 through 469, the Department of Children and Family Services is authorized to submit a budget amendment in accordance with chapter 216, Florida Statutes, that allows the appropriate transfers of funds and provides sufficient budget authority to expend available fund balance in the Administrative Trust Fund to pay costs associated with leave payouts and unemployment compensation related to position reductions contained in the Fiscal Year 2008-2009 General Appropriations Act.

ADMINISTRATION

PROGRAM: EXECUTIVE LEADERSHIP

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,004,489

290	SALARIES AND BENEFITS POSITIONS	107.00	
	FROM GENERAL REVENUE FUND	6,916,926	
	FROM ADMINISTRATIVE TRUST FUND		524,453
	FROM FEDERAL GRANTS TRUST FUND		448,732
	FROM WELFARE TRANSITION TRUST FUND		201,498
291	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	107,457	
	FROM FEDERAL GRANTS TRUST FUND		16,072
	FROM WELFARE TRANSITION TRUST FUND		14,502
292	EXPENSES FROM GENERAL REVENUE FUND	840,512	
	FROM ADMINISTRATIVE TRUST FUND		68,743
	FROM FEDERAL GRANTS TRUST FUND		86,180
	FROM WELFARE TRANSITION TRUST FUND		23,110
293	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	1,462	
	FROM ADMINISTRATIVE TRUST FUND		1,500
	FROM WELFARE TRANSITION TRUST FUND		333
294	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	38,312	
	FROM ADMINISTRATIVE TRUST FUND		7,079
	FROM FEDERAL GRANTS TRUST FUND		5,260
	FROM WELFARE TRANSITION TRUST FUND		1,248

SECTION 3 SPECIFIC APPROPRIATION		
295 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	40,370	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	7,945,039	
FROM TRUST FUNDS		1,398,710
TOTAL POSITIONS	107.00	
TOTAL ALL FUNDS		9,343,749
PROGRAM: SUPPORT SERVICES		
INFORMATION TECHNOLOGY		
APPROVED SALARY RATE 13,764,253		
296 SALARIES AND BENEFITS POSITIONS	259.00	
FROM WORKING CAPITAL TRUST FUND		16,477,401
297 OTHER PERSONAL SERVICES FROM WORKING CAPITAL TRUST FUND		661,904
298 EXPENSES FROM WORKING CAPITAL TRUST FUND		4,229,903
299 OPERATING CAPITAL OUTLAY FROM WORKING CAPITAL TRUST FUND		72,982
300 SPECIAL CATEGORIES COMPUTER RELATED EXPENSES FROM WORKING CAPITAL TRUST FUND		36,381,527
301 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKING CAPITAL TRUST FUND		143,749
302 QUALIFIED EXPENDITURE CATEGORY QUALIFIED EXPENDITURE - FLORIDA SACWIS SOLUTIONS FROM WORKING CAPITAL TRUST FUND		6,870,915
TOTAL: INFORMATION TECHNOLOGY		
FROM TRUST FUNDS		64,838,381
TOTAL POSITIONS	259.00	
TOTAL ALL FUNDS		64,838,381
ASSISTANT SECRETARY FOR ADMINISTRATION		
APPROVED SALARY RATE 10,842,579		
303 SALARIES AND BENEFITS POSITIONS	270.00	
FROM GENERAL REVENUE FUND	11,766,034	
FROM ADMINISTRATIVE TRUST FUND		3,107,797
FROM FEDERAL GRANTS TRUST FUND		267,256
FROM WELFARE TRANSITION TRUST FUND		80,359
304 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	263,470	
FROM ADMINISTRATIVE TRUST FUND		49,878
305 EXPENSES FROM GENERAL REVENUE FUND	2,173,305	
FROM ADMINISTRATIVE TRUST FUND		75,144
FROM FEDERAL GRANTS TRUST FUND		62,991
FROM WELFARE TRANSITION TRUST FUND		17,839
306 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	31,360	
FROM ADMINISTRATIVE TRUST FUND		21,896

SECTION 3 SPECIFIC APPROPRIATION		
307 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM ADMINISTRATIVE TRUST FUND		20,000
308 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	499,915	
309 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	393,767	
FROM ADMINISTRATIVE TRUST FUND		82,402
FROM FEDERAL GRANTS TRUST FUND		8,214
FROM WELFARE TRANSITION TRUST FUND		1,021
311 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	78,028	
312 SPECIAL CATEGORIES STATE INSTITUTIONAL CLAIMS FROM GENERAL REVENUE FUND	40,498	
313 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	4,893,197	
FROM FEDERAL GRANTS TRUST FUND		545,113
314 QUALIFIED EXPENDITURE CATEGORY QUALIFIED EXPENDITURE - FLORIDA SACWIS SOLUTIONS FROM ADMINISTRATIVE TRUST FUND		810,182
FROM FEDERAL GRANTS TRUST FUND		3,704,380
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,356,353
315 DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER FROM GENERAL REVENUE FUND	22,222,750	
FROM ADMINISTRATIVE TRUST FUND		4,839,585
FROM FEDERAL GRANTS TRUST FUND		9,619,821
FROM WELFARE TRANSITION TRUST FUND		163,611
FROM OPERATIONS AND MAINTENANCE TRUST FUND		22,940
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		72,754
316 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS RELIEF/KIMBERLY GODWIN FROM ADMINISTRATIVE TRUST FUND		760,000
317 FIXED CAPITAL OUTLAY DEPARTMENT OF CHILDREN AND FAMILY SERVICES FIXED CAPITAL NEEDS FOR CENTRALLY MANAGED FACILITIES FROM TOBACCO SETTLEMENT TRUST FUND		8,160,766

The non-recurring tobacco settlement trust funds in Specific Appropriation 317 shall be used by the department for capital improvements to state owned facilities. The funds shall be allocated as follows:

Florida State Hospital.....	4,905,574
Northeast Florida State Hospital.....	2,344,896
North Florida Evaluation and Treatment Center.....	778,730
West Florida Community Care Center.....	131,566

SECTION 3
SPECIFIC
APPROPRIATION
TOTAL: ASSISTANT SECRETARY FOR ADMINISTRATION

FROM GENERAL REVENUE FUND	42,362,324	
FROM TRUST FUNDS		34,850,302
TOTAL POSITIONS	270.00	
TOTAL ALL FUNDS		77,212,626

DISTRICT ADMINISTRATION

APPROVED SALARY RATE 27,889,236

318 SALARIES AND BENEFITS POSITIONS	552.50	
FROM GENERAL REVENUE FUND	12,623,312	
FROM ADMINISTRATIVE TRUST FUND		24,547,415
FROM OPERATIONS AND MAINTENANCE TRUST FUND		235,969
318A OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,000	
FROM ADMINISTRATIVE TRUST FUND		1,000
319 EXPENSES		
FROM GENERAL REVENUE FUND	3,049,110	
FROM ADMINISTRATIVE TRUST FUND		1,021,901
FROM OPERATIONS AND MAINTENANCE TRUST FUND		78,191
320 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	4,128	
FROM ADMINISTRATIVE TRUST FUND		99,212
321 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	198,141	
FROM ADMINISTRATIVE TRUST FUND		240,071
323 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	3,020,410	

TOTAL: DISTRICT ADMINISTRATION

FROM GENERAL REVENUE FUND	18,896,101	
FROM TRUST FUNDS		26,223,759
TOTAL POSITIONS	552.50	
TOTAL ALL FUNDS		45,119,860

SERVICES

PROGRAM: FAMILY SAFETY PROGRAM

CHILD CARE REGULATION AND INFORMATION

APPROVED SALARY RATE 5,318,609

324 SALARIES AND BENEFITS POSITIONS	127.50	
FROM GENERAL REVENUE FUND	1,443,768	
FROM FEDERAL GRANTS TRUST FUND		3,719,084
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,816,974
325 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	98,493	
FROM FEDERAL GRANTS TRUST FUND		705,941
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		275,298
326 EXPENSES		
FROM GENERAL REVENUE FUND	272,547	
FROM FEDERAL GRANTS TRUST FUND		926,670
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		377,217

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327 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	36,316	
FROM FEDERAL GRANTS TRUST FUND		57,036
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		13,984
328 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD PROTECTION		
FROM GENERAL REVENUE FUND	650,745	
FROM FEDERAL GRANTS TRUST FUND		4,664,125
FROM OPERATIONS AND MAINTENANCE TRUST FUND		541,496
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,818,884
329 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	80,897	

TOTAL: CHILD CARE REGULATION AND INFORMATION

FROM GENERAL REVENUE FUND	2,582,766	
FROM TRUST FUNDS		14,916,709
TOTAL POSITIONS	127.50	
TOTAL ALL FUNDS		17,499,475

ADULT PROTECTION

APPROVED SALARY RATE 24,478,651

330 SALARIES AND BENEFITS POSITIONS	637.50	
FROM GENERAL REVENUE FUND	20,558,362	
FROM DOMESTIC VIOLENCE TRUST FUND		161,514
FROM FEDERAL GRANTS TRUST FUND		7,877,192
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,849,483
331 EXPENSES		
FROM GENERAL REVENUE FUND	3,442,043	
FROM DOMESTIC VIOLENCE TRUST FUND		46,020
FROM FEDERAL GRANTS TRUST FUND		1,479,441
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		759,560
332 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		384
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		10,333
333 SPECIAL CATEGORIES		
HOME CARE FOR DISABLED ADULTS		
FROM GENERAL REVENUE FUND	2,219,860	
334 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY CARE FOR DISABLED ADULTS		
FROM GENERAL REVENUE FUND	2,041,955	
335 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	117,620	
FROM DOMESTIC VIOLENCE TRUST FUND		11,975
FROM FEDERAL GRANTS TRUST FUND		51,374
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		28,133
336 SPECIAL CATEGORIES		
GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM		
FROM GENERAL REVENUE FUND	255,431	
FROM DOMESTIC VIOLENCE TRUST FUND		10,366,004

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APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND		9,279,218
FROM WELFARE TRANSITION TRUST FUND		7,750,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		90,000

From the funds in Specific Appropriation 336, $150,000 in non-recurring general revenue funds is provided for the Florida Coalition Against Domestic Violence to conduct statewide planning, pilot children's programs, training and technical assistance, and shelter operations.

337 SPECIAL CATEGORIES HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	5,563,943	
FROM FEDERAL GRANTS TRUST FUND		6,928,071
338 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	373,882	
339 SPECIAL CATEGORIES TEMPORARY EMERGENCY SHELTER SERVICES		
FROM GENERAL REVENUE FUND	203,527	
340 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY EMERGENCY SHELTER AND TRANSITIONAL HOUSING		
FROM TOBACCO SETTLEMENT TRUST FUND		3,000,000

The non-recurring tobacco settlement trust funds in Specific Appropriation 340 shall be used by the department for capital improvement grants to certified domestic violence centers in accordance with section 39.9055, Florida Statutes.

TOTAL: ADULT PROTECTION

FROM GENERAL REVENUE FUND	34,776,623	
FROM TRUST FUNDS		51,688,702
TOTAL POSITIONS	637.50	
TOTAL ALL FUNDS		86,465,325

CHILD PROTECTION AND PERMANENCY

APPROVED SALARY RATE 81,374,096

341 SALARIES AND BENEFITS POSITIONS	2,054.00	
FROM GENERAL REVENUE FUND	37,259,435	
FROM FEDERAL GRANTS TRUST FUND		11,165,614
FROM WELFARE TRANSITION TRUST FUND		46,877,967
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		17,015,570
342 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	761,525	
FROM FEDERAL GRANTS TRUST FUND		344,390
FROM WELFARE TRANSITION TRUST FUND		323,491
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		42,984
343 EXPENSES		
FROM GENERAL REVENUE FUND	3,569,380	
FROM FEDERAL GRANTS TRUST FUND		2,195,482
FROM WELFARE TRANSITION TRUST FUND		8,111,325
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,858,159
344 LUMP SUM SHARED RISK FUND FOR COMMUNITY BASED PROVIDERS OF CHILD WELFARE SERVICES		
FROM FEDERAL GRANTS TRUST FUND		7,500,000

SECTION 3
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345 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,061,507	
FROM FEDERAL GRANTS TRUST FUND		343,511
FROM WELFARE TRANSITION TRUST FUND		417,942
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		247,788
345A SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	3,600,000	

From the funds in Specific Appropriation 345A, $3,600,000 in non-recurring general revenue funds is provided for the Magic City Children's Zone in Miami. These funds are to establish a comprehensive, community-based, coordinated, and targeted system of strategies and services to revitalize communities, to support parents, and to provide comprehensive care for all children within the zones. The Ounce of Prevention is designated as the agent to develop a business plan and for the evaluation, fiscal management, and oversight of the pilot program. These funds are intended to be used as a grant over a three-year period to carry out activities in the zones.

346 SPECIAL CATEGORIES GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS		
FROM GENERAL REVENUE FUND	24,067,150	
FROM TOBACCO SETTLEMENT TRUST FUND		7,523,631
FROM WELFARE TRANSITION TRUST FUND		8,903,461
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		6,996,915

The funds in Specific Appropriation 346 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 appropriation shall be allocated as follows:

Manatee County Sheriff.....	3,410,532
Pasco County Sheriff.....	3,947,463
Pinellas County Sheriff.....	10,040,024
Broward County Sheriff.....	12,565,623
Hillsborough County Sheriff.....	12,334,498
Seminole County Sheriff.....	3,323,114
Citrus County Sheriff.....	1,869,903

The sheriffs receiving grants from the funds appropriated in Specific Appropriation 346 shall submit detailed expenditure reports to the Department of Children and Family Services for the fiscal year ending June 30, 2008, by July 31, 2008. The Department of Children and Family Services shall assemble the information reported by the sheriffs and submit the collection of reports to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by September 1, 2008.

347 SPECIAL CATEGORIES GRANTS AND AIDS - CHILD ABUSE PREVENTION AND INTERVENTION		
FROM GENERAL REVENUE FUND	21,601,839	
FROM WELFARE TRANSITION TRUST FUND		6,424,798
348 SPECIAL CATEGORIES GRANTS AND AIDS - CHILD PROTECTION		
FROM GENERAL REVENUE FUND	5,606,851	
FROM CHILD WELFARE TRAINING TRUST FUND . .		1,107,166
FROM TOBACCO SETTLEMENT TRUST FUND		5,041,374
FROM FEDERAL GRANTS TRUST FUND		17,596,114
FROM GRANTS AND DONATIONS TRUST FUND . . .		130,000
FROM WELFARE TRANSITION TRUST FUND		1,654,837
FROM OPERATIONS AND MAINTENANCE TRUST FUND		899,944
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,158,537

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349 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,957,161

350 SPECIAL CATEGORIES
GRANTS AND AIDS - FAMILY FOSTER CARE
FROM GENERAL REVENUE FUND 4,000,000

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 Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds.

351 SPECIAL CATEGORIES
GRANTS AND AIDS - RESIDENTIAL GROUP CARE
FROM GENERAL REVENUE FUND 67,616
FROM TOBACCO SETTLEMENT TRUST FUND 1,145,294
FROM OPERATIONS AND MAINTENANCE TRUST FUND 115,836
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 319,360

352 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY SHELTER CARE
FROM GENERAL REVENUE FUND 68,924
FROM TOBACCO SETTLEMENT TRUST FUND 400,009
FROM WELFARE TRANSITION TRUST FUND 193,905
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 376,065

353 SPECIAL CATEGORIES
SPECIAL NEEDS ADOPTION INCENTIVES
FROM GENERAL REVENUE FUND 1,835,957

354 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY BASED CARE FUNDS FOR PROVIDERS OF CHILD WELFARE SERVICES
FROM GENERAL REVENUE FUND 245,844,318
FROM CHILD WELFARE TRAINING TRUST FUND . . 3,126,809
FROM TOBACCO SETTLEMENT TRUST FUND 108,836,038
FROM FEDERAL GRANTS TRUST FUND 229,330,328
FROM GRANTS AND DONATIONS TRUST FUND . . . 506,163
FROM WELFARE TRANSITION TRUST FUND 59,851,172
FROM OPERATIONS AND MAINTENANCE TRUST FUND 8,979,209
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 40,966,796

Funds in Specific Appropriation 354 shall be allocated to community based care lead agency providers based on each lead agency provider's pro-rata share of the total base budget for the 2007-2008 fiscal year.

TOTAL: CHILD PROTECTION AND PERMANENCY

FROM GENERAL REVENUE FUND 352,301,663
FROM TRUST FUNDS 609,027,984

TOTAL POSITIONS 2,054.00
TOTAL ALL FUNDS 961,329,647

FLORIDA ABUSE HOTLINE

APPROVED SALARY RATE 8,706,834

355 SALARIES AND BENEFITS POSITIONS 233.00
FROM GENERAL REVENUE FUND 3,105,812
FROM FEDERAL GRANTS TRUST FUND 11,217
FROM WELFARE TRANSITION TRUST FUND 5,400,533
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 3,108,504

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356 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 173,192
FROM WELFARE TRANSITION TRUST FUND 528,081
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 147,440

357 EXPENSES
FROM GENERAL REVENUE FUND 354,032
FROM WELFARE TRANSITION TRUST FUND 1,049,139
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 640,362

358 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 4,924
FROM WELFARE TRANSITION TRUST FUND 12,433
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 8,366

359 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 146,255
FROM WELFARE TRANSITION TRUST FUND 397,705
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 206,040

360 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 200,610

TOTAL: FLORIDA ABUSE HOTLINE

FROM GENERAL REVENUE FUND 3,984,825
FROM TRUST FUNDS 11,509,820

TOTAL POSITIONS 233.00
TOTAL ALL FUNDS 15,494,645

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 14,218,872

361 SALARIES AND BENEFITS POSITIONS 287.50
FROM GENERAL REVENUE FUND 10,926,070
FROM DOMESTIC VIOLENCE TRUST FUND 257,359
FROM FEDERAL GRANTS TRUST FUND 2,754,257
FROM WELFARE TRANSITION TRUST FUND 3,544,209
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,244,683

362 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 212,752
FROM FEDERAL GRANTS TRUST FUND 5,843
FROM WELFARE TRANSITION TRUST FUND 358
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 3,357

363 EXPENSES
FROM GENERAL REVENUE FUND 2,333,997
FROM DOMESTIC VIOLENCE TRUST FUND 16,972
FROM FEDERAL GRANTS TRUST FUND 1,305,803
FROM WELFARE TRANSITION TRUST FUND 1,097,515
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 33,444

364 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 7,433
FROM FEDERAL GRANTS TRUST FUND 5,557

365 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 610,692
FROM DOMESTIC VIOLENCE TRUST FUND 481
FROM FEDERAL GRANTS TRUST FUND 225,701

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FROM WELFARE TRANSITION TRUST FUND		292,546
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		119,017
366 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	17,100	
FROM FEDERAL GRANTS TRUST FUND		17,100
367 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD PROTECTION		
FROM GENERAL REVENUE FUND	2,507,542	
FROM CHILD WELFARE TRAINING TRUST FUND . .		96,527
FROM FEDERAL GRANTS TRUST FUND		1,790,640
FROM WELFARE TRANSITION TRUST FUND		870,699
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,436,739
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		503,258
368 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,755,552	
FROM FEDERAL GRANTS TRUST FUND		11,528
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		4,447
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	18,371,138	
FROM TRUST FUNDS		15,638,040
TOTAL POSITIONS	287.50	
TOTAL ALL FUNDS		34,009,178

PROGRAM: MENTAL HEALTH PROGRAM

VIOLENT SEXUAL PREDATOR PROGRAM

APPROVED SALARY RATE 663,736		
369 SALARIES AND BENEFITS POSITIONS	11.00	
FROM GENERAL REVENUE FUND	828,268	
370 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	78,542	
371 EXPENSES		
FROM GENERAL REVENUE FUND	193,394	
372 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,345	
373 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	44,407	
374 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	24,543,432	
375 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	51,146	
TOTAL: VIOLENT SEXUAL PREDATOR PROGRAM		
FROM GENERAL REVENUE FUND	25,740,534	
TOTAL POSITIONS	11.00	
TOTAL ALL FUNDS		25,740,534

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ADULT COMMUNITY MENTAL HEALTH SERVICES

376 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,105,568	
FROM FEDERAL GRANTS TRUST FUND		12,500
FROM WELFARE TRANSITION TRUST FUND		258,710
377 EXPENSES		
FROM GENERAL REVENUE FUND	28,719	
FROM WELFARE TRANSITION TRUST FUND		63,085
378 SPECIAL CATEGORIES		
GRANTS AND AIDS - PUBLIC SAFETY, MENTAL HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING GRANT PROGRAM		
FROM GENERAL REVENUE FUND	2,000,000	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,000,000
379 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY MENTAL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	155,489,191	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		16,469,402
FROM TOBACCO SETTLEMENT TRUST FUND		14,990,092
FROM FEDERAL GRANTS TRUST FUND		18,718,319
FROM WELFARE TRANSITION TRUST FUND		7,358,585
FROM OPERATIONS AND MAINTENANCE TRUST FUND		7,023,102

From the funds in Specific Appropriation 379, $800,000 in recurring general revenue is for AGAPE Family Ministries in Miami-Dade County to provide community forensic services for indigent adults, including psychiatric evaluations, counseling, medication, follow-up, and case management.

In addition to existing projects, the following projects in Specific Appropriation 379 are funded from non-recurring general revenue funds:

Short-Term Residential Facility - Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla.....	550,000
Family Emergency Treatment Center - Indian River, Martin, Okeechobee, St. Lucie.....	220,690
Orange County Central Receiving Center - Orange.....	500,000
New Horizon's Children and Family Center - Miami-Dade.....	50,000
Juvenile Co-Occurring Addictions Receiving Facility - Miami-Dade, Broward, Monroe.....	50,000
Camillus Behavioral Health Treatment Services - Miami-Dade..	50,000

380 SPECIAL CATEGORIES		
GRANTS AND AIDS - BAKER ACT SERVICES		
FROM GENERAL REVENUE FUND	62,333,949	
380A SPECIAL CATEGORIES		
GRANTS AND AIDS - OUTPATIENT BAKER ACT PILOT PROGRAM		
FROM GENERAL REVENUE FUND	550,000	

From the funds in Specific Appropriation 380A, $550,000 in non-recurring general revenue funds is provided for the Outpatient Baker Act Pilot Program to serve Escambia, Santa Rosa, Okaloosa, and Walton counties.

381 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,295	
382 SPECIAL CATEGORIES		
GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM		
FROM GENERAL REVENUE FUND	6,780,276	

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383 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,241

TOTAL: ADULT COMMUNITY MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND 228,293,239
FROM TRUST FUNDS 65,893,795

TOTAL ALL FUNDS 294,187,034

CHILDREN'S MENTAL HEALTH SERVICES

384 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 792,072
FROM FEDERAL GRANTS TRUST FUND 238,676

385 EXPENSES
FROM GENERAL REVENUE FUND 21,674
FROM FEDERAL GRANTS TRUST FUND 8,401

386 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 23,562,220
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 8,464,303
FROM TOBACCO SETTLEMENT TRUST FUND 612,772
FROM FEDERAL GRANTS TRUST FUND 8,736,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,109,718

In addition to existing projects, the following projects in Specific Appropriation 386 are funded from non-recurring general revenue funds:

Manatee Children's Community Action Team (CAT Team) - Manatee..... 200,000
Emergency 30 Bed Children's Crisis Unit - Indian River, Martin, Okeechobee, St. Lucie..... 90,000

388 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 124
FROM FEDERAL GRANTS TRUST FUND 69

389 SPECIAL CATEGORIES
PURCHASE OF THERAPEUTIC SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 8,911,958

390 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASED RESIDENTIAL TREATMENT SERVICES FOR EMOTIONALLY DISTURBED CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 25,652,872

The department shall transfer $23,339,940 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds. The remaining funds shall be used to provide residential services to non-Medicaid eligible children.

391 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,599

392 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S BAKER ACT SERVICES
FROM GENERAL REVENUE FUND 14,221,460

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From the funds in Specific Appropriation 392, $200,000 is provided for Children's Emergency Baker Act Services serving Henando and Pasco counties.

TOTAL: CHILDREN'S MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND 73,165,979
FROM TRUST FUNDS 20,169,939

TOTAL ALL FUNDS 93,335,918

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 5,419,308

393 SALARIES AND BENEFITS POSITIONS 102.00
FROM GENERAL REVENUE FUND 5,484,675
FROM ADMINISTRATIVE TRUST FUND 9,783
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 247,453
FROM FEDERAL GRANTS TRUST FUND 1,214,621
FROM WELFARE TRANSITION TRUST FUND 79,141

394 OTHER PERSONAL SERVICES
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 16,000
FROM FEDERAL GRANTS TRUST FUND 158,201

395 EXPENSES
FROM GENERAL REVENUE FUND 550,883
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 397,965
FROM FEDERAL GRANTS TRUST FUND 279,853
FROM WELFARE TRANSITION TRUST FUND 9,473

395A OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 1,000

396 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 42,602
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 53,229
FROM FEDERAL GRANTS TRUST FUND 137,262

397 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 29,619,045

From the funds in Specific Appropriation 397, the department shall allocate the non-recurring sum of $21,058,696 and the recurring sum of $8,560,349 from the federal grants trust funds to community mental health and substance abuse providers who participate in the Medicaid Administrative Claiming program in the same proportion as they contributed to these additional federal earnings.

398 SPECIAL CATEGORIES
FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION
FROM GENERAL REVENUE FUND 240,000
FROM FEDERAL GRANTS TRUST FUND 75,000

399 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 461,335

399A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND 398

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TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND	6,779,495	
FROM TRUST FUNDS		32,298,424
TOTAL POSITIONS	102.00	
TOTAL ALL FUNDS		39,077,919

PROGRAM: SUBSTANCE ABUSE PROGRAM

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 3,066,504

400 SALARIES AND BENEFITS POSITIONS	66.00	
FROM GENERAL REVENUE FUND	2,239,236	
FROM ADMINISTRATIVE TRUST FUND		7,383
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		1,025,728
FROM FEDERAL GRANTS TRUST FUND		585,971
FROM GRANTS AND DONATIONS TRUST FUND		11,493
FROM WELFARE TRANSITION TRUST FUND		174,016
401 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	29,610	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		505,845
FROM FEDERAL GRANTS TRUST FUND		624,938
FROM GRANTS AND DONATIONS TRUST FUND		67,281
402 EXPENSES		
FROM GENERAL REVENUE FUND	236,057	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		325,311
FROM FEDERAL GRANTS TRUST FUND		335,070
FROM GRANTS AND DONATIONS TRUST FUND		11,778
FROM WELFARE TRANSITION TRUST FUND		28,420
403 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	22,692	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		32,021
FROM FEDERAL GRANTS TRUST FUND		17,599
404 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	71,620	
FROM FEDERAL GRANTS TRUST FUND		3,726,414
FROM GRANTS AND DONATIONS TRUST FUND		89,528
405 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	79,679	

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND	2,678,894	
FROM TRUST FUNDS		7,568,796
TOTAL POSITIONS	66.00	
TOTAL ALL FUNDS		10,247,690

CHILD SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

406 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	360,881	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		50,590
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,221

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407 EXPENSES		
FROM GENERAL REVENUE FUND	12,434	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		3,499
FROM OPERATIONS AND MAINTENANCE TRUST FUND		106
408 SPECIAL CATEGORIES GRANTS AND AIDS - CHILDREN AND ADOLESCENT SUBSTANCE ABUSE SERVICES		
FROM GENERAL REVENUE FUND	38,724,778	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		28,905,569
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		2,324,773
409 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		100
410 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,285	

TOTAL: CHILD SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

FROM GENERAL REVENUE FUND	39,099,378	
FROM TRUST FUNDS		35,000,831
TOTAL ALL FUNDS		74,100,209

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

411 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	372,367	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		634,139
FROM OPERATIONS AND MAINTENANCE TRUST FUND		44,068
412 EXPENSES		
FROM GENERAL REVENUE FUND	16,071	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		25,490
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,054
413 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES		
FROM GENERAL REVENUE FUND	36,363,893	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		63,160,154
FROM TOBACCO SETTLEMENT TRUST FUND		6,241,766
FROM FEDERAL GRANTS TRUST FUND		7,893,874
FROM WELFARE TRANSITION TRUST FUND		6,771,170
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,615,098
414 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,426	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		175
FROM OPERATIONS AND MAINTENANCE TRUST FUND		313
415 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	3,342	

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TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

FROM GENERAL REVENUE FUND	36,758,099	
FROM TRUST FUNDS		89,388,301
TOTAL ALL FUNDS		126,146,400

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 141,568,128

416	SALARIES AND BENEFITS POSITIONS	4,109.00	
	FROM GENERAL REVENUE FUND	99,430,240	
	FROM FEDERAL GRANTS TRUST FUND		65,011,800
	FROM GRANTS AND DONATIONS TRUST FUND		78,656
	FROM WELFARE TRANSITION TRUST FUND		4,499,098
417	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,347,452	
	FROM FEDERAL GRANTS TRUST FUND		1,275,349
	FROM GRANTS AND DONATIONS TRUST FUND		33,600
	FROM WELFARE TRANSITION TRUST FUND		71,708
418	EXPENSES		
	FROM GENERAL REVENUE FUND	17,736,150	
	FROM FEDERAL GRANTS TRUST FUND		17,174,326
	FROM WELFARE TRANSITION TRUST FUND		1,044,023
419	OPERATING CAPITAL OUTLAY		
	FROM WELFARE TRANSITION TRUST FUND		4,254
420	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,133,639	
	FROM FEDERAL GRANTS TRUST FUND		2,005,732
	FROM WELFARE TRANSITION TRUST FUND		126,646
421	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	502,748	
	FROM FEDERAL GRANTS TRUST FUND		471,506
	FROM WELFARE TRANSITION TRUST FUND		251,939
422	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	533,565	
	FROM FEDERAL GRANTS TRUST FUND		387,800
	FROM WELFARE TRANSITION TRUST FUND		40,044

TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES

FROM GENERAL REVENUE FUND	121,683,794	
FROM TRUST FUNDS		92,476,481
TOTAL POSITIONS	4,109.00	
TOTAL ALL FUNDS		214,160,275

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 9,649,070

424	SALARIES AND BENEFITS POSITIONS	197.00	
	FROM GENERAL REVENUE FUND	6,437,372	
	FROM FEDERAL GRANTS TRUST FUND		4,910,830
	FROM WELFARE TRANSITION TRUST FUND		819,943
425	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	144,597	
	FROM FEDERAL GRANTS TRUST FUND		96,053
	FROM WELFARE TRANSITION TRUST FUND		14,011

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426	EXPENSES		
	FROM GENERAL REVENUE FUND	3,169,109	
	FROM FEDERAL GRANTS TRUST FUND		2,746,442
	FROM WELFARE TRANSITION TRUST FUND		263,082
427	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,114	
	FROM FEDERAL GRANTS TRUST FUND		1,084
	FROM WELFARE TRANSITION TRUST FUND		746
428	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	10,008,744	
	FROM FEDERAL GRANTS TRUST FUND		8,880,560
	FROM WELFARE TRANSITION TRUST FUND		1,013,863
429	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	480,910	
	FROM FEDERAL GRANTS TRUST FUND		2,464,907
	FROM WELFARE TRANSITION TRUST FUND		318,473
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		530,000
430	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	880,149	
	FROM FEDERAL GRANTS TRUST FUND		658,538
	FROM WELFARE TRANSITION TRUST FUND		77,599

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND	21,121,995	
FROM TRUST FUNDS		22,796,131
TOTAL POSITIONS	197.00	
TOTAL ALL FUNDS		43,918,126

FRAUD PREVENTION AND BENEFIT RECOVERY

APPROVED SALARY RATE 6,323,952

431	SALARIES AND BENEFITS POSITIONS	200.50	
	FROM GENERAL REVENUE FUND	2,017,819	
	FROM FEDERAL GRANTS TRUST FUND		5,060,124
	FROM WELFARE TRANSITION TRUST FUND		1,480,683
432	EXPENSES		
	FROM GENERAL REVENUE FUND	491,344	
	FROM FEDERAL GRANTS TRUST FUND		1,205,105
	FROM WELFARE TRANSITION TRUST FUND		328,234
433	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	68,317	
	FROM FEDERAL GRANTS TRUST FUND		498,432
	FROM WELFARE TRANSITION TRUST FUND		52,953
434	SPECIAL CATEGORIES		
	PUBLIC ASSISTANCE FRAUD CONTRACT		
	FROM GENERAL REVENUE FUND	47,752	
	FROM FEDERAL GRANTS TRUST FUND		3,340,786
	FROM WELFARE TRANSITION TRUST FUND		1,106,966
435	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	24,227	
	FROM FEDERAL GRANTS TRUST FUND		32,364

TOTAL: FRAUD PREVENTION AND BENEFIT RECOVERY

FROM GENERAL REVENUE FUND	2,649,459	
FROM TRUST FUNDS		13,105,647

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TOTAL POSITIONS	200.50	
TOTAL ALL FUNDS		15,755,106

SPECIAL ASSISTANCE PAYMENTS

APPROVED SALARY RATE 199,825

436	SALARIES AND BENEFITS POSITIONS	3.00	
	FROM GENERAL REVENUE FUND	180,543	
	FROM FEDERAL GRANTS TRUST FUND		78,523
437	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	58,200	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		84,097
	FROM WELFARE TRANSITION TRUST FUND		84,095
438	EXPENSES		
	FROM GENERAL REVENUE FUND	189,667	
	FROM FEDERAL GRANTS TRUST FUND		42,032
	FROM GRANTS AND DONATIONS TRUST FUND . . .		27,962
	FROM WELFARE TRANSITION TRUST FUND		27,951
439	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHALLENGE GRANTS		
	FROM GENERAL REVENUE FUND	2,116,025	
440	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FEDERAL EMERGENCY SHELTER GRANT PROGRAM		
	FROM GENERAL REVENUE FUND	1,185,990	
	FROM FEDERAL GRANTS TRUST FUND		3,034,474
	FROM GRANTS AND DONATIONS TRUST FUND . . .		787,953
	FROM WELFARE TRANSITION TRUST FUND		787,953
441	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOMELESS HOUSING ASSISTANCE GRANTS		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		5,000,000
442	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	22,409	
	FROM FEDERAL GRANTS TRUST FUND		641
443	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	880,981	

From the funds in Specific Appropriation 443, $500,000 in non-recurring general revenue funds is provided for the One-Stop Community Resource Center serving Manatee County.

444	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	900	
445	FINANCIAL ASSISTANCE PAYMENTS		
	CASH ASSISTANCE		
	FROM GENERAL REVENUE FUND	125,131,827	
	FROM WELFARE TRANSITION TRUST FUND		45,486,195
446	FINANCIAL ASSISTANCE PAYMENTS		
	OPTIONAL STATE SUPPLEMENTATION PROGRAM		
	FROM GENERAL REVENUE FUND	18,693,602	
447	FINANCIAL ASSISTANCE PAYMENTS		
	PERSONAL CARE ALLOWANCE		
	FROM GENERAL REVENUE FUND	344,456	

TOTAL: SPECIAL ASSISTANCE PAYMENTS

FROM GENERAL REVENUE FUND	148,804,600	
FROM TRUST FUNDS		55,441,876

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TOTAL POSITIONS	3.00	
TOTAL ALL FUNDS		204,246,476

REFUGEES

APPROVED SALARY RATE 1,795,803

448	SALARIES AND BENEFITS POSITIONS	40.00	
	FROM FEDERAL GRANTS TRUST FUND		2,312,331
449	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		363,451
450	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND		570,564
451	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		22,125
452	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		46,701
453	SPECIAL CATEGORIES		
	GRANTS AND AIDS - LOCAL SERVICES PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND		56,604,968
454	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM FEDERAL GRANTS TRUST FUND		7,499
455	SPECIAL CATEGORIES		
	SERVICES TO REPATRIATED AMERICANS		
	FROM FEDERAL GRANTS TRUST FUND		40,380
456	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND		785
457	FINANCIAL ASSISTANCE PAYMENTS		
	REFUGEE/ENTRANT ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND		15,231,735

TOTAL: REFUGEES

FROM TRUST FUNDS		75,200,539
TOTAL POSITIONS	40.00	
TOTAL ALL FUNDS		75,200,539

PROGRAM: INSTITUTIONAL FACILITIES

ADULT MENTAL HEALTH TREATMENT FACILITIES

APPROVED SALARY RATE 143,546,839

458	SALARIES AND BENEFITS POSITIONS	3,998.50	
	FROM GENERAL REVENUE FUND	133,705,282	
	FROM FEDERAL GRANTS TRUST FUND		47,638,804
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,652,042
459	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	827,662	
460	EXPENSES		
	FROM GENERAL REVENUE FUND	12,699,010	
	FROM FEDERAL GRANTS TRUST FUND		725,030
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		416,364

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461 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 214,379
FROM FEDERAL GRANTS TRUST FUND 549,377

462 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 3,366,140

463 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,073,265

464 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES
FROM GENERAL REVENUE FUND 93,575,276
FROM FEDERAL GRANTS TRUST FUND 13,295,722

Funds in Specific Appropriation 464 reflect a reduction of $3,960,000 from the General Revenue Fund to close down the 100-bed South Florida Evaluation and Treatment Center Annex forensic facility on September 30, 2008, and transfer 25 beds to the South Florida Evaluation and Treatment Center and 48 beds to Treasure Coast Forensic Treatment Center on October 1, 2008.

465 SPECIAL CATEGORIES
GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM
FROM GENERAL REVENUE FUND 2,171,223

466 SPECIAL CATEGORIES
PRESCRIBED MEDICINE/DRUGS
FROM GENERAL REVENUE FUND 9,170,850
FROM FEDERAL GRANTS TRUST FUND 1,900,961
FROM OPERATIONS AND MAINTENANCE TRUST FUND 876,992

467 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,841,829

468 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 90,969

468A SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 295,619

469 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 32,656

TOTAL: ADULT MENTAL HEALTH TREATMENT FACILITIES

FROM GENERAL REVENUE FUND 265,064,160
FROM TRUST FUNDS 72,055,292

TOTAL POSITIONS 3,998.50
TOTAL ALL FUNDS 337,119,452

ELDER AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO ELDERS PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 9,411,468

470 SALARIES AND BENEFITS POSITIONS 255.00
FROM GENERAL REVENUE FUND 3,192,063
FROM OPERATIONS AND MAINTENANCE TRUST FUND 9,367,763

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471 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 140,887
FROM OPERATIONS AND MAINTENANCE TRUST FUND 830,376

472 EXPENSES
FROM GENERAL REVENUE FUND 508,316
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,684,145

473 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,755
FROM OPERATIONS AND MAINTENANCE TRUST FUND 35,228

474 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 100,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 150,000

475 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 100

476 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 127,770
FROM OPERATIONS AND MAINTENANCE TRUST FUND 16,811

477 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 27,059
FROM OPERATIONS AND MAINTENANCE TRUST FUND 79,934

TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES
FROM GENERAL REVENUE FUND 4,104,950
FROM TRUST FUNDS 12,164,257

TOTAL POSITIONS 255.00
TOTAL ALL FUNDS 16,269,207

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 2,735,237

478 SALARIES AND BENEFITS POSITIONS 58.00
FROM GENERAL REVENUE FUND 1,649,463
FROM FEDERAL GRANTS TRUST FUND 1,584,700
FROM OPERATIONS AND MAINTENANCE TRUST FUND 774,547

479 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 262,206
FROM ADMINISTRATIVE TRUST FUND 55,000
FROM FEDERAL GRANTS TRUST FUND 847,905
FROM OPERATIONS AND MAINTENANCE TRUST FUND 205,507

480 EXPENSES
FROM GENERAL REVENUE FUND 742,519
FROM ADMINISTRATIVE TRUST FUND 8,049
FROM FEDERAL GRANTS TRUST FUND 866,557
FROM OPERATIONS AND MAINTENANCE TRUST FUND 465,422

481 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,000
FROM FEDERAL GRANTS TRUST FUND 5,000

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FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,000

482 SPECIAL CATEGORIES
AGING AND ADULT SERVICES TRAINING AND EDUCATION
FROM FEDERAL GRANTS TRUST FUND 119,493

483 SPECIAL CATEGORIES
GRANTS AND AIDS - ALZHEIMER'S DISEASE PROJECTS/SERVICES
FROM GENERAL REVENUE FUND 6,351,710

In addition to existing recurring projects in Specific Appropriation 483, $340,000 in non-recurring general revenue funds is provided for the following projects:

Community-Based Dementia Specific Day Care - Palm Beach and St. Lucie Counties..... 250,000
Alzheimer's Mobile Services for Rural Areas, Minority and Underserved Communities..... 90,000

484 SPECIAL CATEGORIES
GRANTS AND AIDS - ALZHEIMERS DISEASE RESPITE SERVICES
FROM GENERAL REVENUE FUND 7,026,454

485 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY CARE FOR THE ELDERLY
FROM GENERAL REVENUE FUND 40,116,274
FROM TOBACCO SETTLEMENT TRUST FUND 11,770,633
FROM FEDERAL GRANTS TRUST FUND 277,928
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,388,969

486 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND 2,971,761

487 SPECIAL CATEGORIES
GRANTS AND AIDS - OLDER AMERICANS ACT PROGRAM
FROM GENERAL REVENUE FUND 346,998
FROM FEDERAL GRANTS TRUST FUND 96,743,728

488 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 77,900
FROM ADMINISTRATIVE TRUST FUND 53,131
FROM FEDERAL GRANTS TRUST FUND 280,128
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,700
FROM OPERATIONS AND MAINTENANCE TRUST FUND 16,064

489 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,166,964
FROM ADMINISTRATIVE TRUST FUND 31,397
FROM FEDERAL GRANTS TRUST FUND 7,317,099
FROM OPERATIONS AND MAINTENANCE TRUST FUND 796,511

491 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES WAIVER
FROM GENERAL REVENUE FUND 30,837,691
FROM TOBACCO SETTLEMENT TRUST FUND 8,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 46,647,642

492 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM GENERAL REVENUE FUND 10,662,762
FROM TOBACCO SETTLEMENT TRUST FUND 5,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 17,467,117

493 SPECIAL CATEGORIES
ALZHEIMER'S DEMENTIA SPECIFIC MEDICAID WAIVER
FROM GENERAL REVENUE FUND 2,236,001
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,821,408

494 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAMS
FROM GENERAL REVENUE FUND 7,032,833

In addition to the existing recurring projects in Specific Appropriation 494, $540,000 in non-recurring general revenue funds is provided for the following projects:

Baker County Senior Center..... 90,000
City of Hialeah - Hot Lunch Program..... 100,000
South Florida Holocaust Survivors Assistance - Broward, Miami-Dade and Palm Beach..... 350,000

495 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 14,599
FROM FEDERAL GRANTS TRUST FUND 2,319

496 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 9,653
FROM FEDERAL GRANTS TRUST FUND 12,598
FROM OPERATIONS AND MAINTENANCE TRUST FUND 4,707

496A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SENIOR CITIZEN CENTERS
FROM TOBACCO SETTLEMENT TRUST FUND 10,000,000

Funds in Specific Appropriation 496A are provided for the following projects:

Bradford County Senior Center..... 500,000
Nassau County Senior Center..... 500,000

The remaining funds in Specific Appropriation 496A are provided for grants to construct, repair and maintain Florida's Senior Centers. The Department of Elderly Affairs shall establish criteria for grant awards that shall include a minimum 25 percent local match requirement.

TOTAL: HOME AND COMMUNITY SERVICES
FROM GENERAL REVENUE FUND 110,544,027
FROM TRUST FUNDS 217,563,020

TOTAL POSITIONS 58.00
TOTAL ALL FUNDS 328,107,047

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,964,794

497 SALARIES AND BENEFITS POSITIONS 78.00
FROM GENERAL REVENUE FUND 1,990,017
FROM FEDERAL GRANTS TRUST FUND 2,738,513
FROM OPERATIONS AND MAINTENANCE TRUST FUND 684,923

498 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 106,151

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FROM FEDERAL GRANTS TRUST FUND		605,047
FROM OPERATIONS AND MAINTENANCE TRUST FUND		380,828
499 EXPENSES		
FROM GENERAL REVENUE FUND	281,432	
FROM ADMINISTRATIVE TRUST FUND		5,929
FROM FEDERAL GRANTS TRUST FUND		1,571,342
FROM OPERATIONS AND MAINTENANCE TRUST FUND		20,982
500 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		2,000
501 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	5,485	
FROM ADMINISTRATIVE TRUST FUND		27,400
FROM FEDERAL GRANTS TRUST FUND		456,564
502 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	113,538	
FROM FEDERAL GRANTS TRUST FUND		16,663
503 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	12,998	
FROM FEDERAL GRANTS TRUST FUND		16,817
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,019
504 DATA PROCESSING SERVICES		
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,288
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	2,509,621	
FROM TRUST FUNDS		6,536,315
TOTAL POSITIONS	78.00	
TOTAL ALL FUNDS		9,045,936

CONSUMER ADVOCATE SERVICES

APPROVED SALARY RATE 1,476,169

505 SALARIES AND BENEFITS POSITIONS	36.50	
FROM GENERAL REVENUE FUND	553,673	
FROM FEDERAL GRANTS TRUST FUND		1,441,785
506 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	100	
FROM FEDERAL GRANTS TRUST FUND		405,633
507 EXPENSES		
FROM GENERAL REVENUE FUND	156,863	
FROM FEDERAL GRANTS TRUST FUND		162,268
508 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		16,000
509 SPECIAL CATEGORIES		
PUBLIC GUARDIANSHIP CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,927,527	
FROM ADMINISTRATIVE TRUST FUND		154,816
510 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	8,000	

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511 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	94,244	
FROM FEDERAL GRANTS TRUST FUND		11,591
512 SPECIAL CATEGORIES		
LONG TERM CARE OMBUDSMAN COUNCIL		
FROM GENERAL REVENUE FUND	981,985	
FROM FEDERAL GRANTS TRUST FUND		1,026,020
513 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	3,728,081	
FROM TRUST FUNDS		3,229,214
TOTAL POSITIONS	36.50	
TOTAL ALL FUNDS		6,957,295

HEALTH, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

ADMINISTRATIVE SUPPORT

APPROVED SALARY RATE 12,920,163

514 SALARIES AND BENEFITS POSITIONS	276.50	
FROM GENERAL REVENUE FUND	3,791,694	
FROM ADMINISTRATIVE TRUST FUND		12,309,246
FROM FEDERAL GRANTS TRUST FUND		108,554
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		59,533
515 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	504,883	
FROM ADMINISTRATIVE TRUST FUND		1,088,963
FROM FEDERAL GRANTS TRUST FUND		119,000
516 EXPENSES		
FROM GENERAL REVENUE FUND	1,738,199	
FROM ADMINISTRATIVE TRUST FUND		2,904,831
FROM FEDERAL GRANTS TRUST FUND		190,100
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		62,097
517 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	157,395	
FROM ADMINISTRATIVE TRUST FUND		5,300
FROM FEDERAL GRANTS TRUST FUND		31,500
518 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND		50,936
519 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	220,502	
FROM ADMINISTRATIVE TRUST FUND		1,736,109
FROM FEDERAL GRANTS TRUST FUND		118,208
520 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	216,173	
521 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		

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SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	30,858	
FROM ADMINISTRATIVE TRUST FUND		83,328
FROM FEDERAL GRANTS TRUST FUND		1,464
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		430
TOTAL: ADMINISTRATIVE SUPPORT		
FROM GENERAL REVENUE FUND	6,659,704	
FROM TRUST FUNDS		18,869,599
TOTAL POSITIONS	276.50	
TOTAL ALL FUNDS		25,529,303

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 4,549,631

522 SALARIES AND BENEFITS POSITIONS	88.00	
FROM GENERAL REVENUE FUND	2,439,904	
FROM ADMINISTRATIVE TRUST FUND		3,058,016
FROM FEDERAL GRANTS TRUST FUND		138,633
523 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	40,313	
FROM ADMINISTRATIVE TRUST FUND		231,000
FROM FEDERAL GRANTS TRUST FUND		15,000
524 EXPENSES		
FROM GENERAL REVENUE FUND	6,495,708	
FROM ADMINISTRATIVE TRUST FUND		2,813,611
FROM FEDERAL GRANTS TRUST FUND		15,000
525 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		380,000
FROM FEDERAL GRANTS TRUST FUND		3,500
526 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,584,601	
FROM ADMINISTRATIVE TRUST FUND		1,969,807
527 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	28,745	
528 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	16,004	
FROM ADMINISTRATIVE TRUST FUND		18,140
FROM FEDERAL GRANTS TRUST FUND		941
529 DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER		
FROM ADMINISTRATIVE TRUST FUND		3,801,305
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	11,605,275	
FROM TRUST FUNDS		12,444,953
TOTAL POSITIONS	88.00	
TOTAL ALL FUNDS		24,050,228

PROGRAM: COMMUNITY PUBLIC HEALTH

FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES

APPROVED SALARY RATE 6,982,711

530 SALARIES AND BENEFITS POSITIONS	153.00	
FROM GENERAL REVENUE FUND	1,952,847	

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FROM ADMINISTRATIVE TRUST FUND		155
FROM EPILEPSY SERVICES TRUST FUND		63,652
FROM FEDERAL GRANTS TRUST FUND		6,201,042
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,501
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		126,632
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		744,993
531 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	53,842	
FROM FEDERAL GRANTS TRUST FUND		230,708
FROM GRANTS AND DONATIONS TRUST FUND . . .		43,060
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		132,326
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		61,332
532 EXPENSES		
FROM GENERAL REVENUE FUND	412,445	
FROM ADMINISTRATIVE TRUST FUND		10,237
FROM RAPE CRISIS PROGRAM TRUST FUND . . .		24,492
FROM TOBACCO SETTLEMENT TRUST FUND		97
FROM EPILEPSY SERVICES TRUST FUND		31,044
FROM FEDERAL GRANTS TRUST FUND		2,858,940
FROM GRANTS AND DONATIONS TRUST FUND . . .		9,213
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		140,752
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		294,030
533 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FAMILY PLANNING SERVICES		
FROM GENERAL REVENUE FUND	5,610,782	
FROM FEDERAL GRANTS TRUST FUND		1,094,283
534 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EPILEPSY SERVICES		
FROM GENERAL REVENUE FUND	2,194,983	
535 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EPILEPSY PREVENTION AND EDUCATION ACTIVITIES		
FROM EPILEPSY SERVICES TRUST FUND		1,340,000
536 AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS		
FROM GENERAL REVENUE FUND	5,363,005	
537 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PRIMARY CARE PROGRAM		
FROM GENERAL REVENUE FUND	22,218,219	
538 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLUORIDATION PROJECT		
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		150,000
539 AID TO LOCAL GOVERNMENTS SCHOOL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	3,718,956	
FROM TOBACCO SETTLEMENT TRUST FUND		9,902,925
FROM FEDERAL GRANTS TRUST FUND		7,000,000
540 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		37,000
542 SPECIAL CATEGORIES GRANTS AND AIDS - OUNCE OF PREVENTION		
FROM WELFARE TRANSITION TRUST FUND		1,900,000
543 SPECIAL CATEGORIES GRANTS AND AIDS - CRISIS COUNSELING		
FROM GENERAL REVENUE FUND	2,000,000	

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544 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 224,640
FROM RAPE CRISIS PROGRAM TRUST FUND . . . 57,000
FROM FEDERAL GRANTS TRUST FUND 825,792
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,000
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 305,500

545 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,327,921
FROM ADMINISTRATIVE TRUST FUND 100,000
FROM RAPE CRISIS PROGRAM TRUST FUND . . . 1,982,925
FROM FEDERAL GRANTS TRUST FUND 6,171,020
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 119,630

In addition to the existing projects in Specific Appropriation 545, the following project is funded from non-recurring general revenue funds:

Islet Cell Transplantation to Cure Diabetes, Diabetes Research Foundation - Broward..... 90,000

546 SPECIAL CATEGORIES
GRANTS AND AIDS - HEALTHY START COALITIONS
FROM GENERAL REVENUE FUND 27,424,134
FROM FEDERAL GRANTS TRUST FUND 5,929,432
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 6,832,389

547 SPECIAL CATEGORIES
HEALTH EDUCATION RISK REDUCTION PROJECT
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 12,686

547A SPECIAL CATEGORIES
HEALTHY START COORDINATED CARE SYSTEM WAIVER
FROM GENERAL REVENUE FUND 15,171,241
FROM FEDERAL GRANTS TRUST FUND 18,890,817

548 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL NUTRITION PROGRAMS
FROM FEDERAL GRANTS TRUST FUND 413,019,364

549 SPECIAL CATEGORIES
FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION
FROM TOBACCO SETTLEMENT TRUST FUND 8,500,000

550 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 68,591

551 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 13,977
FROM ADMINISTRATIVE TRUST FUND 1
FROM FEDERAL GRANTS TRUST FUND 43,237
FROM GRANTS AND DONATIONS TRUST FUND . . . 19
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 887
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 5,306

TOTAL: FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES
FROM GENERAL REVENUE FUND 88,755,583
FROM TRUST FUNDS 495,198,419

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TOTAL POSITIONS 153.00
TOTAL ALL FUNDS 583,954,002

INFECTIOUS DISEASE CONTROL

APPROVED SALARY RATE 14,415,715

552 SALARIES AND BENEFITS POSITIONS 367.00
FROM GENERAL REVENUE FUND 6,135,386
FROM FEDERAL GRANTS TRUST FUND 8,515,180
FROM OPERATIONS AND MAINTENANCE TRUST FUND 4,422,380
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 66,335

553 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 38,313
FROM FEDERAL GRANTS TRUST FUND 596,922
FROM OPERATIONS AND MAINTENANCE TRUST FUND 51,211

554 EXPENSES
FROM GENERAL REVENUE FUND 2,026,804
FROM FEDERAL GRANTS TRUST FUND 5,988,250
FROM GRANTS AND DONATIONS TRUST FUND . . . 173,537
FROM OPERATIONS AND MAINTENANCE TRUST FUND 648,564
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 158,774

555 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - AIDS PATIENT CARE
FROM GENERAL REVENUE FUND 12,728,792
FROM FEDERAL GRANTS TRUST FUND 7,133,137

556 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - RYAN WHITE CONSORTIA
FROM GENERAL REVENUE FUND 500,000
FROM FEDERAL GRANTS TRUST FUND 20,754,358

Funds in Specific Appropriation 556 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.

557 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS
FROM GENERAL REVENUE FUND 11,122,458

558 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 13,470,926
FROM TOBACCO SETTLEMENT TRUST FUND 2,601,849

559 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 34,465
FROM FEDERAL GRANTS TRUST FUND 178,326

560 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 224,570
FROM OPERATIONS AND MAINTENANCE TRUST FUND 58,213

561 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,060,256
FROM FEDERAL GRANTS TRUST FUND 5,646,194
FROM GRANTS AND DONATIONS TRUST FUND . . . 12,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 70,000

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562	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,530,876	
	FROM FEDERAL GRANTS TRUST FUND		8,971,599
563	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND	233,587	
564	SPECIAL CATEGORIES GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM		
	FROM GENERAL REVENUE FUND	6,794,685	
	FROM FEDERAL GRANTS TRUST FUND		4,891,498
566	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES		
	FROM GENERAL REVENUE FUND	142,575	
567	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	187,110	
568	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		66,513
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		34,395
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		1,408
569	SPECIAL CATEGORIES OUTREACH FOR PREGNANT WOMEN		
	FROM GENERAL REVENUE FUND	500,000	
TOTAL:	INFECTIOUS DISEASE CONTROL		
	FROM GENERAL REVENUE FUND	56,781,759	
	FROM TRUST FUNDS		71,040,643
	TOTAL POSITIONS	367.00	
	TOTAL ALL FUNDS		127,822,402

ENVIRONMENTAL HEALTH SERVICES

APPROVED SALARY RATE 8,991,368

570	SALARIES AND BENEFITS POSITIONS	200.50	
	FROM GENERAL REVENUE FUND	1,893,403	
	FROM ADMINISTRATIVE TRUST FUND		3,364,591
	FROM FEDERAL GRANTS TRUST FUND		674,741
	FROM GRANTS AND DONATIONS TRUST FUND . . .		207,276
	FROM RADIATION PROTECTION TRUST FUND . . .		6,076,752
571	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
572	EXPENSES		
	FROM GENERAL REVENUE FUND	444,065	
	FROM ADMINISTRATIVE TRUST FUND		1,021,195
	FROM FEDERAL GRANTS TRUST FUND		290,198
	FROM GRANTS AND DONATIONS TRUST FUND . . .		202,896
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		3,354
	FROM RADIATION PROTECTION TRUST FUND . . .		1,736,996

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573	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	4,021,395	
	FROM ADMINISTRATIVE TRUST FUND		1,922,436
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,004,571
574	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		15,000
	FROM FEDERAL GRANTS TRUST FUND		46,698
	FROM RADIATION PROTECTION TRUST FUND . . .		100,000
575	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM ADMINISTRATIVE TRUST FUND		80,000
	FROM RADIATION PROTECTION TRUST FUND . . .		130,856
576	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	327,110	
	FROM ADMINISTRATIVE TRUST FUND		340,000
	FROM FEDERAL GRANTS TRUST FUND		1,017,547
	FROM GRANTS AND DONATIONS TRUST FUND . . .		131,203
	FROM RADIATION PROTECTION TRUST FUND . . .		150,000
577	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		750,000
578	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	67,993	
	FROM RADIATION PROTECTION TRUST FUND . . .		14,575
579	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		22,435
	FROM FEDERAL GRANTS TRUST FUND		4,499
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,382
	FROM RADIATION PROTECTION TRUST FUND . . .		40,522
580	SPECIAL CATEGORIES STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE (SUPER) ACT REIMBURSEMENT		
	FROM ADMINISTRATIVE TRUST FUND		434,775
TOTAL:	ENVIRONMENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	6,766,596	
	FROM TRUST FUNDS		20,151,157
	TOTAL POSITIONS	200.50	
	TOTAL ALL FUNDS		26,917,753

COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

581	SALARIES AND BENEFITS FROM COUNTY HEALTH DEPARTMENT TRUST FUND .	644,061,049

The department shall transfer $7,000,000 from the Donations Trust Fund to support a portion of the County Health Department Trust Fund in Specific Appropriation 581 for school health services in lieu of Title XXI funding.

582	OTHER PERSONAL SERVICES FROM COUNTY HEALTH DEPARTMENT TRUST FUND .	36,697,185
583	EXPENSES FROM COUNTY HEALTH DEPARTMENT TRUST FUND .	118,159,486
584	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FAMILY PLANNING SERVICES FROM COUNTY HEALTH DEPARTMENT TRUST FUND .	2,723,230

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585 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - AIDS PATIENT CARE
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 3,544,893

587 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - MINORITY HEALTH INITIATIVES
FROM GENERAL REVENUE FUND 5,185,011

588 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 192,144,452
FROM TOBACCO SETTLEMENT TRUST FUND 3,919,999

589 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PRIMARY CARE PROGRAM
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 14,096,380

590 AID TO LOCAL GOVERNMENTS
COMMUNITY HEALTH INITIATIVES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 500,000

591 OPERATING CAPITAL OUTLAY
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 11,235,802

592 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 2,809,253

593 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 49,960,898

594 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,634,040
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 27,500

In addition to existing recurring projects in Specific Appropriation 594, $830,000 in non-recurring general revenue funds is provided for the following projects:

Rural Dental Service Program - Escambia, Okaloosa, Santa Rosa, Walton..... 550,000
New Parent Information Kit Pilot Project - Leon, Martin, Manatee..... 90,000
Willa Carson HRC Health Care Project - Pinellas..... 50,000
Miami Beach Community Health Center at the Center for Haitian Studies - Miami-Dade..... 50,000
Darrell Gwynn Foundation's Spinal Cord Injury, Wheelchair Donation Program - Broward..... 90,000

595 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 875,903

596 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 288,347

597 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 3,818,815

598 FIXED CAPITAL OUTLAY
CONSTRUCTION, RENOVATION, AND EQUIPMENT - COUNTY HEALTH DEPARTMENTS
FROM TOBACCO SETTLEMENT TRUST FUND 31,434,100
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 25,296,600

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From the funds in Specific Appropriation 598, $25,296,600 in non-recurring county health department trust funds is provided for the following projects:

Broward County Health Department..... 3,630,000
Flagler County Health Department..... 197,900
Hillsborough County Health Department..... 4,462,700
Lee County Health Department..... 3,000,000
Palm Beach County Health Department..... 4,006,000
Pinellas County Health Department..... 10,000,000

From the funds in Specific Appropriation 598, $31,434,100 in non-recurring tobacco settlement trust funds is provided for the following projects:

Miami-Dade County Health Department..... 6,412,600
Hernando County Health Department..... 14,229,200
Jackson County Health Department..... 10,792,300

598A 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 200,963,503
FROM TRUST FUNDS 956,983,400

TOTAL ALL FUNDS 1157,946,903

STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

APPROVED SALARY RATE 20,802,303

599 SALARIES AND BENEFITS POSITIONS 567.50
FROM GENERAL REVENUE FUND 11,156,807
FROM ADMINISTRATIVE TRUST FUND 673,622
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 2,810,783
FROM FEDERAL GRANTS TRUST FUND 3,894,933
FROM GRANTS AND DONATIONS TRUST FUND . . . 136,847
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 151,527
FROM PLANNING AND EVALUATION TRUST FUND . 9,172,818
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 215,696

600 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,721
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 149,583
FROM FEDERAL GRANTS TRUST FUND 214,561
FROM PLANNING AND EVALUATION TRUST FUND . 689,100

601 EXPENSES
FROM GENERAL REVENUE FUND 1,320,274
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 4,021,798
FROM FLORIDA CENTER FOR NURSING 1,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 168,414
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 39,050
FROM PLANNING AND EVALUATION TRUST FUND . 11,524,322
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 27,002

From the funds provided in Specific Appropriation 601, $250,000 in recurring general revenue funds shall be used to support the Statewide Council on Deafness.

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602 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES COUNTY GRANTS
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 6,211,675

603 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES MATCHING GRANTS
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 4,681,461

604 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 100,000
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

605 SPECIAL CATEGORIES
GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS
FROM FEDERAL GRANTS TRUST FUND 66,184,180

606 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 430,000
FROM ADMINISTRATIVE TRUST FUND 255,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 919,958
FROM FEDERAL GRANTS TRUST FUND 507,500
FROM FLORIDA CENTER FOR NURSING 22,946
FROM GRANTS AND DONATIONS TRUST FUND . . . 65,000
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 41,188
FROM PLANNING AND EVALUATION TRUST FUND . 5,694,980

607 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 950,000

From the funds in Specific Appropriation 607, $500,000 in non-recurring general revenue funds shall be allocated to the Braman Family Breast Cancer Institute developmental grants program to provide one-year grants to initiate new breast cancer research projects and to allow investigators to gather initial data that enables subsequent successful competition for federal NCI/NIH grant funding. For early career investigators, these grants provide manpower and materials required to initiate a project. For the mid-career investigators, funding allows pursuit of innovative developments in breast cancer research.

608 SPECIAL CATEGORIES
DRUGS, VACCINES AND OTHER BIOLOGICALS
FROM GENERAL REVENUE FUND 13,381,841
FROM TOBACCO SETTLEMENT TRUST FUND 11,702,062
FROM FEDERAL GRANTS TRUST FUND 91,631,606

Funds in Specific Appropriation 608 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.

609 SPECIAL CATEGORIES
TRANSFER TO BIOMEDICAL RESEARCH TRUST FUND
FROM GENERAL REVENUE FUND 15,000,000

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610 SPECIAL CATEGORIES
JAMES AND ESTHER KING BIOMEDICAL RESEARCH PROGRAM
FROM BIOMEDICAL RESEARCH TRUST FUND . . . 9,900,000

From the funds in Specific Appropriation 610, up to $50,000 shall be used for collaborative biomedical research projects within the state's historically black colleges and universities.

611 SPECIAL CATEGORIES
WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID COLEY CANCER RESEARCH PROGRAM
FROM BIOMEDICAL RESEARCH TRUST FUND . . . 9,000,000

612 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,754,023

613 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS
FROM FEDERAL GRANTS TRUST FUND 1,000,000

614 SPECIAL CATEGORIES
GRANTS AND AIDS - TRAUMA CARE
FROM ADMINISTRATIVE TRUST FUND 7,500,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 93,747

615 SPECIAL CATEGORIES
GRANTS AND AID - NURSING STUDENT LOAN REIMBURSEMENT/ SCHOLARSHIPS
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 1,629,006

616 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 95,596
FROM ADMINISTRATIVE TRUST FUND 4,355
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 23,883
FROM FEDERAL GRANTS TRUST FUND 35,902
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,966
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 1,260
FROM PLANNING AND EVALUATION TRUST FUND . 73,087
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 2,230

TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES
FROM GENERAL REVENUE FUND 50,195,262
FROM TRUST FUNDS 252,635,007

TOTAL POSITIONS 567.50
TOTAL ALL FUNDS 302,830,269

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

APPROVED SALARY RATE 30,685,666

617 SALARIES AND BENEFITS POSITIONS 750.50
FROM GENERAL REVENUE FUND 20,304,875
FROM DONATIONS TRUST FUND 14,409,599
FROM FEDERAL GRANTS TRUST FUND 5,456,460

618 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 2,004,361
FROM DONATIONS TRUST FUND 89,063
FROM FEDERAL GRANTS TRUST FUND 388,687

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619 EXPENSES
FROM GENERAL REVENUE FUND 2,574,948
FROM DONATIONS TRUST FUND 2,920,273
FROM FEDERAL GRANTS TRUST FUND 2,555,461

620 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 46,970
FROM FEDERAL GRANTS TRUST FUND 106,825

621 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S MEDICAL SERVICES NETWORK
FROM GENERAL REVENUE FUND 24,784,275
FROM TOBACCO SETTLEMENT TRUST FUND 11,790,196
FROM DONATIONS TRUST FUND 112,844,207
FROM FEDERAL GRANTS TRUST FUND 866,624
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 9,337,728
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,613,263

In addition to existing recurring projects in Specific Appropriation 621, $390,690 in non-recurring general revenue funds is provided for the following projects:

System of Care for Children with Fetal Alcohol Spectrum Disorder - Sarasota..... 240,690
JaxHats Transition Program - Baker, Clay, Duval, Nassau, St. Johns..... 100,000
Fragile X - Newborn Screening Pilot Program - Miami-Dade, Statewide..... 50,000

From the funds in Specific Appropriation 621, $1,325,153 of recurring general revenue funds and $350,000 of non-recurring general revenue funds shall be allocated to the four crainiofacial centers.

622 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL SERVICES FOR ABUSED/NEGLECTED CHILDREN
FROM GENERAL REVENUE FUND 11,869,019
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 5,763,295

624 SPECIAL CATEGORIES
POISON CONTROL CENTER
FROM GENERAL REVENUE FUND 3,106,534

From the funds in Specific Appropriation 624, $1,415,071 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool 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 poison control centers.

625 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 490,002

626 SPECIAL CATEGORIES
GRANTS AND AIDS - DEVELOPMENTAL EVALUATION AND INTERVENTION SERVICES/PART C
FROM GENERAL REVENUE FUND 16,769,052
FROM TOBACCO SETTLEMENT TRUST FUND 3,817,556
FROM FEDERAL GRANTS TRUST FUND 25,133,290
FROM WELFARE TRANSITION TRUST FUND 3,600,000

From the general revenue funds in Specific Appropriation 626, $1,234,850 is provided as the state match for Medicaid reimbursable early intervention services in Specific Appropriation 199.

From the funds in Specific Appropriation 626, $450,000 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, the remaining funds may be used secondarily for payments to identified teaching or specialty hospitals.

627 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 114,361
FROM FEDERAL GRANTS TRUST FUND 43,261

627A FIXED CAPITAL OUTLAY
CONSTRUCTION, RENOVATION, EQUIPMENT - CHILDREN'S MEDICAL SERVICES FACILITIES
FROM TOBACCO SETTLEMENT TRUST FUND 982,200

From the funds in Specific Appropriation 627A, the following project is funded from non-recurring tobacco settlement trust funds:

Children's Medical Services Facility - Brevard..... 982,200

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 82,111,906
FROM TRUST FUNDS 201,832,349

TOTAL POSITIONS 750.50
TOTAL ALL FUNDS 283,944,255

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

The Department of Health shall direct a study of the Pharmacy Practice Act requirements for drug substitution, the effectiveness of safety controls for the patient, the clinical efficacy of the interchange of prescription drugs, the appropriate control of substitution by the prescriber, the importance of prescriber notification, and outcomes of treatment success when substitution occurs. The department shall convene a panel to conduct the study comprised of one member appointed by the Board of Medicine, one member appointed by the Board of Pharmacy, one member appointed by the Florida Academy of Family Physicians, one member appointed by the Florida Kidney Foundation and one member by the Florida Epilepsy Foundation. The study shall be completed by December 31, 2009, and a report of the findings shall be submitted to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council.

APPROVED SALARY RATE 23,779,648

628 SALARIES AND BENEFITS POSITIONS 631.50
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 2,269,763
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 29,851,733

629 OTHER PERSONAL SERVICES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 6,704
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 4,225,239

630 EXPENSES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 504,956
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 6,918,166

631 OPERATING CAPITAL OUTLAY
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 57,604

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632 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 46,200
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 105,400

633 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR PROFESSIONAL REGULATION
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 2,331,163

634 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 1,231,856

635 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 421,456

636 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 78,000
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 13,615,645

637 SPECIAL CATEGORIES
DEPARTMENTAL STAFF DEVELOPMENT AND TRAINING
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 52,600

638 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 3,487
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 361,544

639 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 16,780
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 252,355

TOTAL: MEDICAL QUALITY ASSURANCE
FROM TRUST FUNDS 62,350,651

TOTAL POSITIONS 631.50
TOTAL ALL FUNDS 62,350,651

COMMUNITY HEALTH RESOURCES

APPROVED SALARY RATE 3,856,968

640 SALARIES AND BENEFITS POSITIONS 98.50
FROM GENERAL REVENUE FUND 921,943
FROM ADMINISTRATIVE TRUST FUND 375,431
FROM TOBACCO SETTLEMENT TRUST FUND 175,746
FROM FEDERAL GRANTS TRUST FUND 693,594
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 2,981,324

From the funds in Specific Appropriation 640, $175,746 and two positions are provided to implement the Comprehensive Statewide Tobacco Education and Use Prevention Program in accordance with section 27, Article X of the State Constitution.

641 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 10,000
FROM FEDERAL GRANTS TRUST FUND 109,770
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 24,000

642 EXPENSES
FROM GENERAL REVENUE FUND 141,898
FROM ADMINISTRATIVE TRUST FUND 133,178
FROM TOBACCO SETTLEMENT TRUST FUND 1,127
FROM FEDERAL GRANTS TRUST FUND 655,127
FROM GRANTS AND DONATIONS TRUST FUND . . . 29,729
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 777,059

643 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 91,393

644 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY HEALTH CENTERS
FROM GENERAL REVENUE FUND 1,622,605
FROM FEDERAL GRANTS TRUST FUND 4,106,085
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,622,605

The funds in Specific Appropriation 644 shall be contracted through a competitive bid process to federally qualified community health centers in rural and medically underserved areas. The federally qualified community health centers shall be required to provide local matching funds in an amount equal to the state amount.

From the funds in Specific Appropriation 644, $1,622,605 from the General Revenue Fund and $1,622,605 from the Grants and Donations Trust Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool 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 as described above.

645 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HEALTH COUNCILS
FROM GRANTS AND DONATIONS TRUST FUND . . . 906,000

646 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 12,850
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 9,000

647 SPECIAL CATEGORIES
AREA HEALTH EDUCATION CENTERS
FROM GENERAL REVENUE FUND 10,628,019

648 SPECIAL CATEGORIES
COMMUNITY HOSPITAL EDUCATION PROGRAM
FROM GENERAL REVENUE FUND 14,500,000

From the funds in Specific Appropriation 648, $14,500,000 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Community Health Education Programs or payments to identified family practice teaching or specialty hospitals.

649 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 28,620
FROM ADMINISTRATIVE TRUST FUND 5,623
FROM FEDERAL GRANTS TRUST FUND 485,471

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FROM GRANTS AND DONATIONS TRUST FUND . . .		3,581
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		391,923

650 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	1,615,925	
FROM FEDERAL GRANTS TRUST FUND		437,153
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		500,000

From the funds in Specific Appropriation 650, $250,000 in non-recurring general revenue funds is provided to Nova Southeastern University for assistance to students enrolled in undergraduate and graduate nursing programs. Funds shall be prioritized by the university to graduate nursing students. The university shall report to the Department of Health the allocation of funds and the number of students enrolled in undergraduate and graduate programs.

From the funds in Specific Appropriation 650, $300,000 in recurring general revenue funds is provided to Community Smiles to partner with Miami Children's Hospital to implement a Pediatric Dental Residency program.

In addition to existing recurring projects in Specific Appropriation 650, $180,000 in non-recurring general revenue funds is provided for the following projects:

Community Medical Care Center - ER Diversion Program - Lake, Sumter.....	90,000
Saint John Bosco Clinic - Miami-Dade.....	90,000

651 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS

FROM GENERAL REVENUE FUND	500,000	
FROM FEDERAL GRANTS TRUST FUND		574,305

652 SPECIAL CATEGORIES
GRANTS AND AIDS - SHANDS TEACHING HOSPITAL

FROM GENERAL REVENUE FUND	14,673,569	

From the funds in Specific Appropriation 652, $9,673,569 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

From the funds in Specific Appropriation 652, $5,000,000 in non-recurring funds from the General Revenue Fund is provided for the benefit of Shands Healthcare System for the purpose of reimbursing the cost incurred for serving individuals in the Medicaid program and providing care to the uninsured and underinsured. These funds shall be used as state matching funds by the Agency for Health Care Administration for Fiscal Year 2008-2009 for the purpose of the Low Income Pool and increasing the Medicaid inpatient and outpatient rates. 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 Healthcare System to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

652A SPECIAL CATEGORIES
GRANTS AND AIDS - JACKSON MEMORIAL HOSPITAL

FROM GENERAL REVENUE FUND	20,000,000	

From the funds in Specific Appropriation 652A $20,000,000 in non-recurring funds from the General Revenue Fund is provided for the benefit of Jackson Memorial Hospital for the purpose of reimbursing the cost incurred for serving individuals in the Medicaid program and providing care to the uninsured and underinsured. These funds shall be used as state matching funds by the Agency for Health Care Administration for Fiscal Year 2008-2009 for the purpose of the Low Income Pool and increasing the Medicaid inpatient and outpatient rates. 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 Jackson Memorial Hospital to continue the original purpose of providing health care services to indigent patients through Jackson Memorial Hospital.

652B SPECIAL CATEGORIES
BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER

FROM GENERAL REVENUE FUND	885,744	
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		10,811,599

652C SPECIAL CATEGORIES
CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER

FROM GENERAL REVENUE FUND	761,576	
FROM FEDERAL GRANTS TRUST FUND		948,294

653 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES

FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		7,752,879

654 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		58,620

655 SPECIAL CATEGORIES
GRANTS AND AIDS - SPINAL CORD RESEARCH

FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		1,000,000

656 SPECIAL CATEGORIES
COMPREHENSIVE STATEWIDE TOBACCO PREVENTION AND EDUCATION PROGRAM

FROM TOBACCO SETTLEMENT TRUST FUND		54,344,208

Funds in Specific Appropriations 656 and 658A shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with section 27, Article X of the State Constitution. The appropriation shall be allocated as follows:

State & Community Interventions.....	11,200,943
State & Community Interventions - AHEC.....	6,000,000
Health Communications Interventions.....	19,838,001
Cessation Interventions	4,553,017
Cessation Interventions - AHEC.....	4,000,000
Surveillance & Evaluation	5,951,995
Administration & Management.....	2,800,252

657 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	7,793	
FROM ADMINISTRATIVE TRUST FUND		2,496
FROM FEDERAL GRANTS TRUST FUND		5,540
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		23,815

658 SPECIAL CATEGORIES
MEDICALLY FRAGILE ENHANCEMENT PAYMENT

FROM GENERAL REVENUE FUND	610,020	

658A FIXED CAPITAL OUTLAY
STATEWIDE TOBACCO PREVENTION AND EDUCATION

FROM TOBACCO SETTLEMENT TRUST FUND		5,000,000

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From the funds in Specific Appropriation 658A, $5,000,000 of non-recurring tobacco settlement trust funds shall be used to improve the infrastructure of the county health departments to implement the Comprehensive Statewide Tobacco Education and Prevention Program.

658B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
RURAL HOSPITALS
FROM ADMINISTRATIVE TRUST FUND 3,000,000

From the funds in Specific Appropriation 658B, $3,000,000 in non-recurring administrative trust funds are provided for the Rural Hospital Capital Improvement Grant Program and shall be allocated in accordance with the grant process in section 395.6061, Florida Statutes.

TOTAL: COMMUNITY HEALTH RESOURCES
FROM GENERAL REVENUE FUND 66,989,105
FROM TRUST FUNDS 97,968,132

TOTAL POSITIONS 98.50
TOTAL ALL FUNDS 164,957,237

PROGRAM: DISABILITY DETERMINATIONS

DISABILITY BENEFITS DETERMINATION

APPROVED SALARY RATE 840,454

659 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 680,267
FROM FEDERAL GRANTS TRUST FUND 658,994
FROM U.S. TRUST FUND 47,966,882

660 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 27,500
FROM FEDERAL GRANTS TRUST FUND 27,500
FROM U.S. TRUST FUND 10,645,515

661 EXPENSES
FROM GENERAL REVENUE FUND 160,071
FROM FEDERAL GRANTS TRUST FUND 166,071
FROM U.S. TRUST FUND 14,747,739

662 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,000
FROM FEDERAL GRANTS TRUST FUND 5,000
FROM U.S. TRUST FUND 150,000

663 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 192,771
FROM FEDERAL GRANTS TRUST FUND 192,771
FROM U.S. TRUST FUND 25,654,436

664 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,125
FROM FEDERAL GRANTS TRUST FUND 2,125
FROM U.S. TRUST FUND 373,013

665 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,615
FROM FEDERAL GRANTS TRUST FUND 4,436
FROM U.S. TRUST FUND 381,433

TOTAL: DISABILITY BENEFITS DETERMINATION
FROM GENERAL REVENUE FUND 1,072,349
FROM TRUST FUNDS 100,975,915

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TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 102,048,264

VETERANS' AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO VETERANS' PROGRAM

VETERANS' HOMES

APPROVED SALARY RATE 21,530,993

666 SALARIES AND BENEFITS POSITIONS 806.50
FROM GENERAL REVENUE FUND 5,917,275
FROM OPERATIONS AND MAINTENANCE TRUST FUND 25,271,102

667 OTHER PERSONAL SERVICES
FROM OPERATIONS AND MAINTENANCE TRUST FUND 871,819

668 EXPENSES
FROM GENERAL REVENUE FUND 8,990
FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,366,947

669 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 130,700
FROM OPERATIONS AND MAINTENANCE TRUST FUND 87,794

670 FOOD PRODUCTS
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,013,669

671 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATIONS AND MAINTENANCE TRUST FUND 9,612,315

672 SPECIAL CATEGORIES
RECREATIONAL EQUIPMENT AND SUPPLIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 62,000

673 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 127,030
FROM OPERATIONS AND MAINTENANCE TRUST FUND 549,874

674 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 54,371
FROM OPERATIONS AND MAINTENANCE TRUST FUND 275,112

675 FIXED CAPITAL OUTLAY
MAINTENANCE AND REPAIR OF STATE-OWNED RESIDENTIAL FACILITIES FOR VETERANS
FROM STATE HOMES FOR VETERANS TRUST FUND . 1,245,256

TOTAL: VETERANS' HOMES
FROM GENERAL REVENUE FUND 6,107,666
FROM TRUST FUNDS 45,486,588

TOTAL POSITIONS 806.50
TOTAL ALL FUNDS 51,594,254

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EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE 1,716,519		
676	SALARIES AND BENEFITS POSITIONS	29.00	
	FROM GENERAL REVENUE FUND	2,321,596	
677	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	19,765	
678	EXPENSES		
	FROM GENERAL REVENUE FUND	724,284	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		100,458
679	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	120,512	
680	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	124,538	
681	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	12,486	
682	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	10,528	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	3,333,709	
	FROM TRUST FUNDS		100,458
	TOTAL POSITIONS	29.00	
	TOTAL ALL FUNDS		3,434,167

VETERANS' BENEFITS AND ASSISTANCE

	APPROVED SALARY RATE 3,317,903		
683	SALARIES AND BENEFITS POSITIONS	79.00	
	FROM GENERAL REVENUE FUND	3,712,152	
	FROM FEDERAL GRANTS TRUST FUND		533,735
684	EXPENSES		
	FROM GENERAL REVENUE FUND	229,708	
	FROM FEDERAL GRANTS TRUST FUND		101,603
686	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,569	
687	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	10,036	
	FROM FEDERAL GRANTS TRUST FUND		374
688	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
TOTAL:	VETERANS' BENEFITS AND ASSISTANCE		
	FROM GENERAL REVENUE FUND	3,982,894	
	FROM TRUST FUNDS		639,626
	TOTAL POSITIONS	79.00	
	TOTAL ALL FUNDS		4,622,520

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TOTAL OF SECTION 3	POSITIONS 23,154.50	
FROM GENERAL REVENUE FUND	7147,600,000	
FROM TRUST FUNDS		16225,090,008
TOTAL ALL FUNDS		23372,690,008

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 688A through 806A, 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 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, 2009.

Funds in Specific Appropriations 688A through 806A 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, 2008, and for which it has been determined by the Secretary of the department that there is no longer a need.

In the event the Invitation to Negotiate (ITN) for 600 privately operated work release beds to be constructed on existing Department of Corrections work release sites as authorized in Specific Appropriations 786 through 795 of chapter 2007-72, Laws of Florida, fails to conclude, and a contract is not awarded by July 1, 2008, the ITN shall be cancelled and the project design, building and operation of 600 beds shall be granted to the Department of Corrections. The Department of Corrections is authorized to determine the type of beds needed.

In the event the Invitation to Negotiate (ITN) for 1,296 privately operated workcamp beds as authorized in section 9, chapter 2008-1, Laws of Florida, fails to conclude, and a contract is not awarded by September 30, 2008, the ITN shall be cancelled and the project design, building and operation of 1,296 beds shall be granted to the Department of Corrections.

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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 688A through 806A if necessary, to ensure public safety and avoid adversely affecting current employees due to the elimination of vacant positions and other approved reductions.

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

	APPROVED SALARY RATE 11,122,881		
688A	SALARIES AND BENEFITS POSITIONS	289.00	
	FROM GENERAL REVENUE FUND	14,119,762	
	FROM ADMINISTRATIVE TRUST FUND		2,070,009
688B	EXPENSES		
	FROM GENERAL REVENUE FUND	44,052	
	FROM ADMINISTRATIVE TRUST FUND		133,494
688C	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	48,446	
688D	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	326,064	
TOTAL:	BUSINESS SERVICE CENTERS		
	FROM GENERAL REVENUE FUND	14,538,324	
	FROM TRUST FUNDS		2,203,503
	TOTAL POSITIONS	289.00	
	TOTAL ALL FUNDS		16,741,827

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE 13,992,683		
689	SALARIES AND BENEFITS POSITIONS	304.00	
	FROM GENERAL REVENUE FUND	12,786,233	
	FROM ADMINISTRATIVE TRUST FUND		2,934,677
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		80,924
690	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,090	
	FROM ADMINISTRATIVE TRUST FUND		42,906
691	EXPENSES		
	FROM GENERAL REVENUE FUND	1,441,885	
	FROM ADMINISTRATIVE TRUST FUND		491,826
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,083,200
692	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
693	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	27,022	
694	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	295,334	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		200,000
	FROM FEDERAL GRANTS TRUST FUND		347,650

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695	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES FOR MENTAL HEALTH AND SUBSTANCE ABUSE MATCHING GRANTS		
	FROM GENERAL REVENUE FUND	1,000,000	

Funds provided in Specific Appropriation 695 shall be transferred to the Department of Children and Family Services for the purpose of providing planning and implementation grants to counties to improve services provided to individuals who have a serious mental illness and/or substance abuse disorder who are involved or at substantial risk of involvement with the criminal justice system. Counties must have or establish a cross system planning committee that includes judges, law enforcement, public defenders, state attorneys, corrections professionals, behavioral healthcare providers, consumers, families, and other key stakeholders involved in providing services to people with mental illnesses and/or substance abuse disorders in order to be eligible for a grant. The committee may be an existing Public Safety Coordinating Council or another established committee with similar membership. Counties must provide a match equal to the amount of the grant award, or such amount as otherwise provided by law. The match may be provided through in-kind services. Planning grants will be used to examine current services and processes related to the interaction of the criminal justice and mental health service delivery systems, identify systemic changes that will allow for the utilization of existing resources more effectively and efficiently, identify service and system deficiencies, and identify strategies to divert individuals with serious mental illness and/or substance abuse disorders from jail into treatment programs when appropriate. Implementation grants will be used to expand or add new services that divert individuals with a serious mental illness and/or substance abuse disorder who are involved with the criminal justice system or at substantial risk of entering the criminal justice system.

696	SPECIAL CATEGORIES		
	TRANSFER TO GENERAL REVENUE FUND		
	FROM FEDERAL GRANTS TRUST FUND		18,000,000

Funds in Specific Appropriation 696 are from reimbursements from the United States federal government for incarcerating aliens in Florida's prisons. If total reimbursements exceed $18,000,000, the Department of Corrections 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.

698	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	11,429,627	
	FROM ADMINISTRATIVE TRUST FUND		84,230
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		171,049
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	27,022,418	
	FROM TRUST FUNDS		23,809,062
	TOTAL POSITIONS	304.00	
	TOTAL ALL FUNDS		50,831,480

INFORMATION TECHNOLOGY

	APPROVED SALARY RATE 6,192,668		
699	SALARIES AND BENEFITS POSITIONS	133.00	
	FROM GENERAL REVENUE FUND	6,596,534	
	FROM ADMINISTRATIVE TRUST FUND		939,470
701	EXPENSES		
	FROM GENERAL REVENUE FUND	52,300	
	FROM ADMINISTRATIVE TRUST FUND		2,718

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702	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,000	
703	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	398	
704	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	50,309	
TOTAL:	INFORMATION TECHNOLOGY		
	FROM GENERAL REVENUE FUND	6,702,541	
	FROM TRUST FUNDS		942,188
	TOTAL POSITIONS	133.00	
	TOTAL ALL FUNDS		7,644,729

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds provided in Specific Appropriations 721K, 721Y and 721AJ, 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.

The funds in Specific Appropriations 721A through 746, reflect a reduction of $9,250,000 in contracted food services. This reduction shall be achieved through negotiated contract amendments with the applicable vendors to adjust the current contractual requirements related to the preparation and delivery of food services, and shall be effective no later than July 1, 2008. The Department of Corrections shall reduce the per diem paid on food contracts, revise the Inmate Master Menu, and make other considerations as necessary within accepted national and industry standards of practice including nutritional, dietetic, and staffing requirements to adjust its preparation and delivery of food services.

The funds provided in Specific Appropriations 721K, 721Y, and 721AJ reflect a reduction of $3,629,085 for private prison contracts. 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 assist private prison contractors achieve the reduction. Such contract amendments shall expire June 30, 2009. The Department of Management Services and the private prison operators may amend the provisions of the private prison 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, and eliminating 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 shall amend the private prison operating contracts to provide for the payment of costs associated with all inmate academic, vocational, and behavioral programs from funds in the Privately Operated Institutions Inmate Welfare Trust Fund. Such contract amendments may not negatively affect the Department of Corrections.

At the discretion of the Department of Corrections, the department is authorized to 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 what the department can incarcerate similar inmates. The department shall not implement this section in a manner that reduces participation in existing reentry programs.

ADULT MALE CUSTODY OPERATIONS

Funds and positions in Specific Appropriations 721A through 806A, include: an increase of 916 full-time equivalent positions and $66,228,759 from the General Revenue Fund to support the state-wide inmate population increase; an increase of 135 full-time equivalent positions and $5,698,100 from the General Revenue Fund to support additional dorms; an increase of 50 full-time equivalent positions and $1,197,944 from the General Revenue Fund to support the Suwannee Work Camp; an increase of 139 full-time equivalent positions and $1,917,259 from the General Revenue Fund to support the Suwannee Correctional Institution; and 155 full-time equivalent positions and $8,150,135 to support the Polk and Sago Palm facilities. These funds and positions are sufficient to provide housing and security for 107,204 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 102,374 inmates.

Funds and positions in Specific Appropriations 721A through 806A are provided to address security needs for the additional prison populations expected in Fiscal Year 2008-2009 as projected by the Criminal Justice Estimating Conference.

APPROVED SALARY RATE 378,748,818

721A	SALARIES AND BENEFITS POSITIONS	10,672.00	
	FROM GENERAL REVENUE FUND	507,669,243	
	FROM FEDERAL GRANTS TRUST FUND		344,601
721B	OTHER PERSONAL SERVICES		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		91,000
721C	EXPENSES		
	FROM GENERAL REVENUE FUND	39,030,553	
	FROM FEDERAL GRANTS TRUST FUND		216,949
	FROM GRANTS AND DONATIONS TRUST FUND . . .		240,389

From the funds in Specific Appropriation 721C, 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.

From the funds in Specific Appropriation 721C, $142,900 from recurring general revenue is provided to the City of Pahokee as a payment of lieu of taxes for the Sago Palm facility formerly owned by the Department of Juvenile Justice.

721D	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,359,072	
	FROM FEDERAL GRANTS TRUST FUND		750,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		250,000
721E	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	52,014,579	
	FROM FEDERAL GRANTS TRUST FUND		83,421
721F	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,346,401	
	FROM FEDERAL GRANTS TRUST FUND		273,617

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721G SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 3,342,624
FROM FEDERAL GRANTS TRUST FUND 118,172

721H SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,274,259

721I SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,618,841
FROM SALE OF GOODS AND SERVICES CLEARING
TRUST FUND 626,826

721J SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,209,565

721K SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 85,480,125
FROM PRIVATELY OPERATED INSTITUTIONS
INMATE WELFARE TRUST FUND 1,428,586

From the funds in Specific Appropriation 721K, the Department of Management Services shall issue an Invitation to Negotiate and shall contract under the master lease-purchase agreement previously executed by the department for a 2,000 bed private correctional facility which will house medium and close custody inmates. Any such Invitation to Negotiate shall be for design, financing, acquisition, leasing, construction, equipping and operation of the additional beds. The Invitation to Negotiate shall be issued no later than July 1, 2008 and the procurement should be completed by December 1, 2008 in order to allow sufficient time for new beds to become operational by July 1, 2010. The department is authorized to enter into an amendment to the master lease-purchase agreement to finance the construction of the additional 2,000 beds authorized by this paragraph. Payments under such agreement may begin prior to the completion of the facilities.

721L SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 6,799

721M FIXED CAPITAL OUTLAY
CORRECTIONAL FACILITIES - LEASE PURCHASE
FROM GENERAL REVENUE FUND 2,876,241

Funds in Specific Appropriation 721M 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:

Polk..... 1,394,416
Sago Palm..... 1,481,825

721N FIXED CAPITAL OUTLAY
CONTRACTED CORRECTIONAL INSTITUTIONS -
LEASE PURCHASE
FROM GENERAL REVENUE FUND 3,456,623

721O FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 24,669,063

Funds in Specific Appropriation 721O are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities, including payments provided prior to completion of the facilities:

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Bay Correctional Facility (Bay County) 3,427,290
Moore Haven Correctional Facility (Glades County)..... 3,072,602
South Bay Correctional Facility (Palm Beach County)..... 5,056,430
Graceville Correctional Facility (Jackson County)..... 7,592,223

From funds in Specific Appropriation 721O, the sum of $2,020,518 is appropriated for payments to be determined by the State Board of Administration, Division of Bond Finance, for work release centers and work camp payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance these correctional facilities, including payments provided prior to completion of the facilities.

From funds in Specific Appropriation 721O, $3,500,000 is provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance a 2000-bed correctional facility as authorized in Specific Appropriation 721K of this act.

TOTAL: ADULT MALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 744,353,988
FROM TRUST FUNDS 4,423,561

TOTAL POSITIONS 10,672.00
TOTAL ALL FUNDS 748,777,549

ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY
OPERATIONS

APPROVED SALARY RATE 43,595,909

721P SALARIES AND BENEFITS POSITIONS 1,221.00
FROM GENERAL REVENUE FUND 58,698,370
FROM GRANTS AND DONATIONS TRUST FUND . . . 121,515

721Q OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,884

721R EXPENSES
FROM GENERAL REVENUE FUND 2,735,048
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,703

721S FOOD PRODUCTS
FROM GENERAL REVENUE FUND 3,111,467
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,841

721T SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 651,369

721U SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 187,659
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,509

721V SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 905,529

721W SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,049,899

721X SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 401,874

721Y SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 27,682,625
FROM PRIVATELY OPERATED INSTITUTIONS
INMATE WELFARE TRUST FUND 597,359

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721Z FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 3,058,970

Funds in Specific Appropriation 721Z are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the Gadsden Correctional Facility, including payments provided prior to completion of the facility.

TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 98,482,810
FROM TRUST FUNDS 840,811

TOTAL POSITIONS 1,221.00
TOTAL ALL FUNDS 99,323,621

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

APPROVED SALARY RATE 24,238,315

721AA SALARIES AND BENEFITS POSITIONS 625.00
FROM GENERAL REVENUE FUND 41,244,766
FROM FEDERAL GRANTS TRUST FUND 378,953

721AB EXPENSES
FROM GENERAL REVENUE FUND 1,384,558

721AC OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,185
FROM FEDERAL GRANTS TRUST FUND 500,000

721AD FOOD PRODUCTS
FROM GENERAL REVENUE FUND 1,775,741
FROM FEDERAL GRANTS TRUST FUND 483,667

721AE SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 30,833

721AF SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 217,664
FROM FEDERAL GRANTS TRUST FUND 191,046

721AG SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 923,948

721AH SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,053,810

721AI SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 172,939

721AJ SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 17,546,016
FROM PRIVATELY OPERATED INSTITUTIONS
INMATE WELFARE TRUST FUND 195,403

721AK FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 2,626,088

Funds in Specific Appropriation 721AK are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the Lake City Correctional Facility (Columbia County).

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APPROPRIATION

TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 66,996,548
FROM TRUST FUNDS 1,749,069

TOTAL POSITIONS 625.00
TOTAL ALL FUNDS 68,745,617

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

APPROVED SALARY RATE 179,638,908

721AL SALARIES AND BENEFITS POSITIONS 5,027.00
FROM GENERAL REVENUE FUND 247,236,637

721AM EXPENSES
FROM GENERAL REVENUE FUND 4,557,058

721AN FOOD PRODUCTS
FROM GENERAL REVENUE FUND 12,830,511

721AO SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,836,091

721AP SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 1,175,477

721AQ SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,462,805

721AR SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,675,581

721AS SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 1,605,849

TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS
FROM GENERAL REVENUE FUND 278,380,009

TOTAL POSITIONS 5,027.00
TOTAL ALL FUNDS 278,380,009

RECEPTION CENTER OPERATIONS

APPROVED SALARY RATE 70,647,646

722 SALARIES AND BENEFITS POSITIONS 2,002.00
FROM GENERAL REVENUE FUND 99,001,942
FROM FEDERAL GRANTS TRUST FUND 8,394

723 EXPENSES
FROM GENERAL REVENUE FUND 4,406,512
FROM FEDERAL GRANTS TRUST FUND 31,090

724 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,792
FROM FEDERAL GRANTS TRUST FUND 250,000

725 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 4,736,168
FROM FEDERAL GRANTS TRUST FUND 32,449

726 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 90,758

727 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 370,703
FROM FEDERAL GRANTS TRUST FUND 46,893

SECTION 4
SPECIFIC
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728 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 676,721

729 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,228,298

730 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 714,567

TOTAL: RECEPTION CENTER OPERATIONS
FROM GENERAL REVENUE FUND 112,246,461
FROM TRUST FUNDS 368,826

TOTAL POSITIONS 2,002.00
TOTAL ALL FUNDS 112,615,287

PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION

APPROVED SALARY RATE 36,478,289

731 SALARIES AND BENEFITS POSITIONS 1,003.00
FROM GENERAL REVENUE FUND 35,362,268
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 19,616,815
FROM GRANTS AND DONATIONS TRUST FUND . . . 49,263

732 EXPENSES
FROM GENERAL REVENUE FUND 609,518
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 624,202
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,776

733 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 113,907
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 27,195

734 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 2,039,815

735 LUMP SUM
CORRECTIONAL WORK PROGRAMS
POSITIONS 5.00
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 520,059

Funds and positions in Specific Appropriation 735 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).

736 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 12,566,249
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 284,315

737 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 204,143

738 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 193,751

739 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 363,968

SECTION 4
SPECIFIC
APPROPRIATION

740 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 300,130
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 149,295

TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE TRANSITION
FROM GENERAL REVENUE FUND 51,753,749
FROM TRUST FUNDS 21,303,920

TOTAL POSITIONS 1,008.00
TOTAL ALL FUNDS 73,057,669

ROAD PRISON OPERATIONS

APPROVED SALARY RATE 3,761,165

741 SALARIES AND BENEFITS POSITIONS 95.00
FROM GENERAL REVENUE FUND 352
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 5,485,196

742 EXPENSES
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 507,513

743 FOOD PRODUCTS
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 352,549

744 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 11,284

745 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 53,567

746 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 24,666

TOTAL: ROAD PRISON OPERATIONS
FROM GENERAL REVENUE FUND 352
FROM TRUST FUNDS 6,434,775

TOTAL POSITIONS 95.00
TOTAL ALL FUNDS 6,435,127

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 46,522,031

747 SALARIES AND BENEFITS POSITIONS 1,367.00
FROM GENERAL REVENUE FUND 62,536,487
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 63,899

748 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 287,257

749 EXPENSES
FROM GENERAL REVENUE FUND 3,258,756
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 1,959

750 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 88,578

SECTION 4
SPECIFIC
APPROPRIATION

751 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 32,972

752 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 67,566
FROM CORRECTIONAL WORK PROGRAM TRUST FUND 1,655

752A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 166

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 66,271,782
FROM TRUST FUNDS 67,513

TOTAL POSITIONS 1,367.00
TOTAL ALL FUNDS 66,339,295

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 10,361,999

752B SALARIES AND BENEFITS POSITIONS 207.00
FROM GENERAL REVENUE FUND 13,988,559

752C OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 75,000

752D EXPENSES
FROM GENERAL REVENUE FUND 2,182,519
FROM GRANTS AND DONATIONS TRUST FUND . . . 226,785
FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND 2,678,250

752E OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 269,423

752F SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,361,587

From the funds in Specific Appropriation 752F, $1,000,000 in recurring general revenue is provided to continue the victim notification system (VINE).

752G SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 102,097

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 17,904,185
FROM TRUST FUNDS 2,980,035

TOTAL POSITIONS 207.00
TOTAL ALL FUNDS 20,884,220

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

APPROVED SALARY RATE 18,184,505

753 SALARIES AND BENEFITS POSITIONS 568.00
FROM GENERAL REVENUE FUND 24,012,667

754 EXPENSES
FROM GENERAL REVENUE FUND 70,984,811

755 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 200,270

SECTION 4
SPECIFIC
APPROPRIATION

756 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 4,653

757 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,008,546

758 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 3,515,149

758A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 332

760 FIXED CAPITAL OUTLAY
FACILITIES PROVIDING ADDITIONAL CAPACITY
FROM GENERAL REVENUE FUND 305,137,551

From the funds in Specific Appropriation 760, $279,637,551 in non-recurring general revenue is appropriated for construction, renovation and equipping of correctional facilities and additional correctional capacity as follows: $66,280,000 to complete a 1,335 bed annex at the Mayo Correctional Institution; $78,590,000 to construct a 1,335 bed annex at the Suwannee Correctional Institution; $26,500,000 to begin construction of a 1,335 bed institution to be known as the Lowell Reception Center; $9,820,000 to complete construction of a 432 bed work camp at the Liberty Correctional Institution; $9,560,000 to complete construction of a 288 bed work camp at the Franklin Correctional Institution; $9,820,000 for the construction of a 432 bed work camp at the Cross City Correctional Institution; $9,260,000 to complete construction of a 288 bed work camp at the Santa Rosa Correctional Institution; $14,830,000 to complete construction of a 432 bed work camp at the Okeechobee Correctional Institution; $6,410,000 to complete construction of two open bay dormitories for a total of 322 beds at the Columbia Annex; $16,910,000 to complete construction of one secure housing unit of 228 beds at the Lancaster Correctional Institution; $6,460,000 to complete construction of three open bay dormitories for a total of 396 beds at the Mayo Correctional Institution; $6,200,000 to complete construction of 1,200 additional beds at existing correctional institutions; $16,000,000 to complete construction of eight open bay temporary or quick construction dormitories for a total of 1,152 beds at existing correctional institutions; $1,463,035 for renovation of the Sago Palm facility in Palm Beach County, formerly owned by the Department of Juvenile Justice, to enable the housing of 384 inmates; and $1,534,516 for renovation of the Polk County facility, formerly owned by the Department of Juvenile Justice, to enable the housing of 384 inmates.

In addition, $7,500,000 is appropriated from Specific Appropriation 760 in non-recurring general revenue for land acquisition, planning, development and permitting of future prison sites.

From the funds in Specific Appropriation 760, $11,000,000 in non-recurring general revenue is appropriated for facilities providing additional capacity as provided in Specific Appropriation 821 of chapter 2007-72, Laws of Florida. These funds are to replace the funds reverted and re-appropriated in section 11 of chapter 2008-1, Laws of Florida.

From the funds in Specific Appropriation 760, $7,000,000 in non-recurring general revenue is appropriated to correct environmental and water deficiencies at the Martin Correctional institution.

TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND 408,863,979

TOTAL POSITIONS 568.00
TOTAL ALL FUNDS 408,863,979

SECTION 4
SPECIFIC
APPROPRIATION
INFORMATION TECHNOLOGY

APPROVED SALARY RATE 1,319,950

760A SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,706,656

760B OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 13,500

760C EXPENSES
FROM GENERAL REVENUE FUND 1,430,164

760D OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 200,889

760E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,389,267

760F SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 295,329

760G DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM GENERAL REVENUE FUND 226,334

760H DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 801,091

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 9,063,230

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 9,063,230

PROGRAM: COMMUNITY CORRECTIONS

PROBATION SUPERVISION

APPROVED SALARY RATE 80,335,978

775A SALARIES AND BENEFITS POSITIONS 2,154.00
FROM GENERAL REVENUE FUND 109,596,790
FROM FEDERAL GRANTS TRUST FUND 27,184

775B OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 42,455

775C EXPENSES
FROM GENERAL REVENUE FUND 12,123,747
FROM FEDERAL GRANTS TRUST FUND 14,108

775D OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 316,385

775E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 83,919

775F SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,696,757

775G SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 300,704

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL: PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 125,160,757
FROM TRUST FUNDS 41,292

TOTAL POSITIONS 2,154.00
TOTAL ALL FUNDS 125,202,049

DRUG OFFENDER PROBATION SUPERVISION

APPROVED SALARY RATE 13,256,446

775H SALARIES AND BENEFITS POSITIONS 304.00
FROM GENERAL REVENUE FUND 19,259,405

775I EXPENSES
FROM GENERAL REVENUE FUND 1,162,933

From the funds in Specific Appropriation 775I, $65,000 in non-recurring general revenue is provided to the Leland Family Ministries to establish a methamphetamine awareness program in Polk County for individuals sentenced for drug related felony offenses who have been court ordered to participate in this program as a special condition of their probationary requirements. The Department of Corrections shall monitor and evaluate the methamphetamine awareness program during Fiscal Year 2008-2009 and make recommendations to the Governor and the Legislature on whether this program should be implemented statewide.

775J OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 17,310

775K SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 9,357

775L SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 57,537

TOTAL: DRUG OFFENDER PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 20,506,542

TOTAL POSITIONS 304.00
TOTAL ALL FUNDS 20,506,542

PRE TRIAL INTERVENTION SUPERVISION

APPROVED SALARY RATE 2,801,542

775M SALARIES AND BENEFITS POSITIONS 72.00
FROM GENERAL REVENUE FUND 4,067,432

775N EXPENSES
FROM GENERAL REVENUE FUND 293,940

775O SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,565

775P SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 18,467

TOTAL: PRE TRIAL INTERVENTION SUPERVISION
FROM GENERAL REVENUE FUND 4,381,404

TOTAL POSITIONS 72.00
TOTAL ALL FUNDS 4,381,404

COMMUNITY CONTROL SUPERVISION

APPROVED SALARY RATE 17,450,369

775Q SALARIES AND BENEFITS POSITIONS 403.00
FROM GENERAL REVENUE FUND 25,793,503

SECTION 4
SPECIFIC
APPROPRIATION
FROM FEDERAL GRANTS TRUST FUND 128,383

775R EXPENSES
FROM GENERAL REVENUE FUND 1,882,918
FROM FEDERAL GRANTS TRUST FUND 50,609

775S SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 13,711

775T SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 120,503

775U SPECIAL CATEGORIES
ELECTRONIC MONITORING
FROM GENERAL REVENUE FUND 6,276,469

TOTAL: COMMUNITY CONTROL SUPERVISION
FROM GENERAL REVENUE FUND 34,087,104
FROM TRUST FUNDS 178,992

TOTAL POSITIONS 403.00
TOTAL ALL FUNDS 34,266,096

POST PRISON RELEASE SUPERVISION

APPROVED SALARY RATE 15,939,169

775V SALARIES AND BENEFITS POSITIONS 326.00
FROM GENERAL REVENUE FUND 22,910,160
FROM FEDERAL GRANTS TRUST FUND 24,478

775W EXPENSES
FROM GENERAL REVENUE FUND 1,415,246
FROM FEDERAL GRANTS TRUST FUND 212,243

775X SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,488

775Y SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 400,000

From funds in Specific Appropriation 775Y, $400,000 in non-recurring general revenue is provided for the Operation New Hope Re-Entry Initiative Program.

775Z 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 24,799,097
FROM TRUST FUNDS 266,751

TOTAL POSITIONS 326.00
TOTAL ALL FUNDS 25,065,848

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

775AA EXPENSES
FROM GENERAL REVENUE FUND 300,000

775AB SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,963,104

775AC SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 226,004

SECTION 4
SPECIFIC
APPROPRIATION
775AD SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED DRUG
TREATMENT/REHABILITATION PROGRAMS
FROM GENERAL REVENUE FUND 22,922,443
FROM FEDERAL GRANTS TRUST FUND 550,000

From the funds in Specific Appropriation 775AD, $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 28,411,551
FROM TRUST FUNDS 550,000

TOTAL ALL FUNDS 28,961,551

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 1,429,690

775AE SALARIES AND BENEFITS POSITIONS 41.00
FROM GENERAL REVENUE FUND 2,313,983

775AF OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 18,490

775AG EXPENSES
FROM GENERAL REVENUE FUND 113,019

775AH SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 26,284

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 2,471,776

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 2,471,776

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 712,197

775AI SALARIES AND BENEFITS POSITIONS 17.00
FROM GENERAL REVENUE FUND 1,119,518

775AJ EXPENSES
FROM GENERAL REVENUE FUND 2,527,021

775AK SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 307,274

775AL DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 341,875

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 4,295,688

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 4,295,688

COMMUNITY FACILITY OPERATIONS

775AM SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,933,920

SECTION 4
SPECIFIC
APPROPRIATION
PROGRAM: HEALTH SERVICES

The Office of Program Policy and Government Accountability (OPPAGA) shall review the Department of Corrections' health services cost containment and contracting practices. As part of this review, at a minimum OPPAGA shall identify: (1) factors that should be considered when deciding whether to contract for aspects of health services, and (2) best practices, including those used by other states, for creating, administering, monitoring, and enforcing health services contracts. The report shall be submitted to the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council by January 30, 2009.

In order to identify and realize potential cost savings for inmate health services, the Department of Corrections shall competitively procure, as defined in section 287.057, Florida Statutes, for pharmaceutical prescription filling services for correctional facilities on a statewide basis and shall award a contract consistent with Florida law only if such contract would, at a minimum, provide for drug pricing, including dispensing, administration and other fees at a cost of at least three percent below what the department can purchase and administer the program through participating in the Minnesota Multi-State Contracting Alliance for Pharmacy (MMCAP) drug purchasing consortium in which Florida is currently a participating member. The savings shall be calculated based on fiscal year 2007-2008 pricing for the purchase of prescription drugs and the pertinent costs of: dispensing, administration, repackaging and other fees related to such contract.

Upon notice of intent to award any such contract, the Department of Corrections shall give notice to terminate all existing repackaging contracts.

INMATE HEALTH SERVICES

APPROVED SALARY RATE 82,976,513

780 SALARIES AND BENEFITS POSITIONS 1,894.00
FROM GENERAL REVENUE FUND 111,719,783

781 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 11,689,571

782 EXPENSES
FROM GENERAL REVENUE FUND 10,559,642

783 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 284,229

783A LUMP SUM
OPERATIONAL DEFICIT
FROM GENERAL REVENUE FUND 30,000,000

784 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 807,140

785 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 693,664

786 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 188,313,952

In order to implement Specific Appropriation 786, the Department of Corrections shall comply with the following reimbursement limitations: (1) If no contract exists between the Department of Corrections and a hospital licensed under chapter 395, Florida Statutes, or a health care provider providing services at a hospital licensed under chapter 395, Florida Statutes regarding services, payments shall not exceed 110 percent of the Medicare allowable rate; (2) If a contract has been executed between the Department of Corrections and a hospital licensed under chapter 395, Florida Statutes, or a health care provider providing services at a hospital licensed under chapter 395, Florida Statutes, payments shall continue at the currently contracted rates through the current term of the contract; however, if the contract expires or is subject to renewal during this fiscal year, the payments shall not exceed 110 percent of Medicare allowable rate; (3) If the Department of Corrections enters into a new contract with a hospital licensed under chapter 395, Florida Statutes, or a health care provider providing services at a hospital licensed under chapter 395, Florida Statutes, the payments shall not exceed 110 percent of the Medicare allowable rate. (4) Notwithstanding the limitations of subsections (1), (2), and (3) to the contrary, the department may pay up to 125% of the Medicare allowable rate for hospitals licensed under chapter 395, Florida Statutes, that reported to the Agency for Health Care Administration, through hospital audited financial data, a negative operating margin for the previous year. The department shall not negotiate contracts for medical services at hospitals licensed under chapter 395, Florida Statutes, for rates other than rates based on a percentage of the Medicare allowable rate.

From the funds in Specific Appropriation 786, $100,000 is provided for Hepatitis B vaccinations for inmates.

787 SPECIAL CATEGORIES
TREATMENT OF INMATES - GENERAL DRUGS
FROM GENERAL REVENUE FUND 21,992,885

788 SPECIAL CATEGORIES
TREATMENT OF INMATES - PSYCHOTROPIC DRUGS
FROM GENERAL REVENUE FUND 15,269,704

789A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,194

TOTAL: INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 391,331,764

TOTAL POSITIONS 1,894.00
TOTAL ALL FUNDS 391,331,764

TREATMENT OF INMATES WITH INFECTIOUS DISEASES

APPROVED SALARY RATE 530,706

789B SALARIES AND BENEFITS POSITIONS 11.50
FROM GENERAL REVENUE FUND 102,857
FROM FEDERAL GRANTS TRUST FUND 509,708

789C OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 184,207

789D EXPENSES
FROM GENERAL REVENUE FUND 179,547
FROM FEDERAL GRANTS TRUST FUND 721,494

789E OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 27,019

789F SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 5,704,554

789G SPECIAL CATEGORIES
TREATMENT OF INMATES - INFECTIOUS DISEASE DRUGS
FROM GENERAL REVENUE FUND 28,320,587

TOTAL: TREATMENT OF INMATES WITH INFECTIOUS DISEASES
FROM GENERAL REVENUE FUND 34,307,545
FROM TRUST FUNDS 1,442,428

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	11.50	
TOTAL ALL FUNDS		35,749,973

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

APPROVED SALARY RATE 1,749,135

790 SALARIES AND BENEFITS POSITIONS	40.00	
FROM GENERAL REVENUE FUND	1,297,413	
FROM FEDERAL GRANTS TRUST FUND		774,528
791 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		4,809
792 EXPENSES		
FROM GENERAL REVENUE FUND	78,324	
FROM FEDERAL GRANTS TRUST FUND		622,865
793 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	2,000	
FROM FEDERAL GRANTS TRUST FUND		73,600
794 SPECIAL CATEGORIES		
CONTRACT DRUG ABUSE SERVICES		
FROM GENERAL REVENUE FUND	1,727,614	
FROM FEDERAL GRANTS TRUST FUND		3,072,341
TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES		
FROM GENERAL REVENUE FUND	3,105,351	
FROM TRUST FUNDS		4,548,143
TOTAL POSITIONS	40.00	
TOTAL ALL FUNDS		7,653,494

BASIC EDUCATION SKILLS

APPROVED SALARY RATE 14,930,714

795 SALARIES AND BENEFITS POSITIONS	360.00	
FROM GENERAL REVENUE FUND	14,467,195	
FROM FEDERAL GRANTS TRUST FUND		2,747,908
796 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	497,186	
FROM FEDERAL GRANTS TRUST FUND		666,172
797 EXPENSES		
FROM GENERAL REVENUE FUND	1,338,240	
FROM FEDERAL GRANTS TRUST FUND		392,275
798 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	26,000	
FROM FEDERAL GRANTS TRUST FUND		472,386
799 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	39,226	
FROM FEDERAL GRANTS TRUST FUND		1,757,078
800 SPECIAL CATEGORIES		
GRANTS AND AIDS - EVEN START FAMILY LITERACY PROJECT		
FROM FEDERAL GRANTS TRUST FUND		494,974
801 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	100,721	

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801A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	199	
TOTAL: BASIC EDUCATION SKILLS		
FROM GENERAL REVENUE FUND	16,468,767	
FROM TRUST FUNDS		6,530,793
TOTAL POSITIONS	360.00	
TOTAL ALL FUNDS		22,999,560

ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT

APPROVED SALARY RATE 3,552,679

802 SALARIES AND BENEFITS POSITIONS	60.00	
FROM GENERAL REVENUE FUND	4,481,358	
FROM FEDERAL GRANTS TRUST FUND		443,092
803 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	120,274	
804 EXPENSES		
FROM GENERAL REVENUE FUND	368,994	
FROM FEDERAL GRANTS TRUST FUND		119,152
805 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	4,000	
FROM FEDERAL GRANTS TRUST FUND		3,000
806 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,830,057	
FROM FEDERAL GRANTS TRUST FUND		324,848
806A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	100	
TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT		
FROM GENERAL REVENUE FUND	7,804,783	
FROM TRUST FUNDS		890,092
TOTAL POSITIONS	60.00	
TOTAL ALL FUNDS		8,694,875

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,647,358

807 SALARIES AND BENEFITS POSITIONS	93.00	
FROM GENERAL REVENUE FUND	4,944,563	
FROM GRANTS AND DONATIONS TRUST FUND . . .		35,168
808 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	20,600	
809 EXPENSES		
FROM GENERAL REVENUE FUND	823,051	
FROM GRANTS AND DONATIONS TRUST FUND . . .		94,825
810 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	61,629	

SECTION 4
SPECIFIC
APPROPRIATION

811 LUMP SUM
STATE ATTORNEY, PUBLIC DEFENDER CONTRACT/
GRANT POSITIONS
POSITIONS 2.50

The positions in Specific Appropriation 811 are provided for State Attorneys and Public Defenders to utilize for workload associated with grants received during Fiscal Year 2008-2009 that will recur for a minimum of two years. The Justice Administrative Commission may request the transfer of these positions to the offices of the State Attorneys and Public Defenders as needed. Such transfers are contingent upon the commission notifying and providing documentation of the grant received to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council and the Governor's Office of Policy and Budget. Transfer of positions from Specific Appropriation 811 is subject to the notice, review and objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

812 LUMP SUM
WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS
POSITIONS 15.00

The positions in Specific Appropriation 812 are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2008-2009 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 Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council and the Governor's Office of Policy and Budget. Such notification is subject to the legislative objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

813 SPECIAL CATEGORIES
GRANTS AND AIDS - FOSTER CARE CITIZEN
REVIEW PANEL
FROM GENERAL REVENUE FUND 96,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 300,000

814 SPECIAL CATEGORIES
SEXUAL PREDATOR CIVIL COMMITMENT
LITIGATION COSTS
FROM GENERAL REVENUE FUND 4,029,194

Funds in Specific Appropriation 814 are provided for attorney fees and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The Justice Administrative Commission is authorized to pay up to $5,000 per case for case-related expenses incurred by the State Attorney, 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 Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council describing, by judicial circuit: requests for payments of case-related expenses received; court orders received directing payment of such expenses; and actual encumbrances and disbursements from this special appropriations category.

816 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 90,125

817 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF FINANCIAL
SERVICES - AUDITS OF CLERK BUDGETS
FROM GENERAL REVENUE FUND 66,796

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818 SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,645,299

Funds in Specific Appropriation 818 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	728,129
2nd Judicial Circuit	682,082
3rd Judicial Circuit	256,904
4th Judicial Circuit	1,579,968
5th Judicial Circuit	737,095
6th Judicial Circuit	1,312,267
7th Judicial Circuit	667,227
8th Judicial Circuit	522,709
9th Judicial Circuit	888,267
10th Judicial Circuit	879,819
11th Judicial Circuit	3,368,189
12th Judicial Circuit	673,364
13th Judicial Circuit	1,670,374
14th Judicial Circuit	384,441
15th Judicial Circuit	858,127
16th Judicial Circuit	185,446
17th Judicial Circuit	2,060,698
18th Judicial Circuit	604,775
19th Judicial Circuit	757,512
20th Judicial Circuit	827,906

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

819 SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 5,551,694

Funds in Specific Appropriation 819 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 Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council, by judicial circuit, which shall include, but not be limited to: information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements 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.

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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

820 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 63,189

821 SPECIAL CATEGORIES
CRIMINAL CONFLICT CASE COSTS
FROM GENERAL REVENUE FUND 8,676,095

Funds in Specific Appropriation 821 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 Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by judicial circuit.

From the funds in Specific Appropriation 821, 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

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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 shall not exceed the rates in effect for the 2007-2008 fiscal year.

822 SPECIAL CATEGORIES
STATE ATTORNEY DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 11,280,680

Funds in Specific Appropriation 822 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

823 SPECIAL CATEGORIES
CRIMINAL CONFLICT AND DEPENDENCY COUNSEL
LIABILITY
FROM GENERAL REVENUE FUND 20,811,388

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Funds in Specific Appropriation 823 are provided to pay for criminal conflict, dependency and other civil cases where appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007.

824 SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND 34,926
FROM GRANTS AND DONATIONS TRUST FUND . . . 262,803

825 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
FROM GENERAL REVENUE FUND 952,054

826 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
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 826, 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.

827 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF FINANCIAL
SERVICES FOR THE POSTCONVICTION CAPITAL
COLLATERAL CASES - REGISTRY ATTORNEYS
FROM GENERAL REVENUE FUND 2,125,000

828 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 10,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 82,042,249
FROM TRUST FUNDS 891,628

TOTAL POSITIONS 110.50
TOTAL ALL FUNDS 82,933,877

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

APPROVED SALARY RATE 21,502,461

829 SALARIES AND BENEFITS POSITIONS 596.00
FROM GENERAL REVENUE FUND 27,602,727

Funds and positions in Specific Appropriations 829 through 835, 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.

830 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 500,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,000

831 EXPENSES
FROM GENERAL REVENUE FUND 1,861,235
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,249

832 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 40,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000

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833 SPECIAL CATEGORIES
GRANTS AND AIDS - COURT SYSTEM SERVICES
FOR CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 892,656

834 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,723,393
FROM GRANTS AND DONATIONS TRUST FUND . . . 110,000

835 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 270,270

TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE
FROM GENERAL REVENUE FUND 32,890,281
FROM TRUST FUNDS 320,249

TOTAL POSITIONS 596.00
TOTAL ALL FUNDS 33,210,530

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 836 through 938. Funding for this office shall not exceed $400,000.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,245,720

836 SALARIES AND BENEFITS POSITIONS 234.00
FROM GENERAL REVENUE FUND 11,817,751
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,677,232

837 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30,797
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,000

838 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 897,524
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 9,047
FROM GRANTS AND DONATIONS TRUST FUND . . . 121,100

839 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,223

840 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,998

TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,800,293
FROM TRUST FUNDS 1,907,379

TOTAL POSITIONS 234.00
TOTAL ALL FUNDS 14,707,672

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,798,095

841 SALARIES AND BENEFITS POSITIONS 118.00
FROM GENERAL REVENUE FUND 6,828,161
FROM GRANTS AND DONATIONS TRUST FUND . . . 509,141

842 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,700
FROM GRANTS AND DONATIONS TRUST FUND . . . 141,480

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843 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 367,140
FROM GRANTS AND DONATIONS TRUST FUND . . . 219,617

844 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 31,775

845 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,195

TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,260,971
FROM TRUST FUNDS 870,238

TOTAL POSITIONS 118.00
TOTAL ALL FUNDS 8,131,209

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,438,492

846 SALARIES AND BENEFITS POSITIONS 71.00
FROM GENERAL REVENUE FUND 3,965,131
FROM GRANTS AND DONATIONS TRUST FUND . . . 362,294

847 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,956
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,440

848 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 225,910
FROM GRANTS AND DONATIONS TRUST FUND . . . 98,311

849 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,249

850 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,110

TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,220,356
FROM TRUST FUNDS 472,045

TOTAL POSITIONS 71.00
TOTAL ALL FUNDS 4,692,401

PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,960,647

851 SALARIES AND BENEFITS POSITIONS 369.00
FROM GENERAL REVENUE FUND 19,445,411
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,995,495

From the positions and funds provided in Specific Appropriation 851, two full-time equivalent positions with associated rate of 94,274 and $136,686 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

852 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 141,600
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 80,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 485,340

853 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 307,037
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 210,800
FROM GRANTS AND DONATIONS TRUST FUND . . . 770,305

854 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 96,959

855 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 11,547

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,002,554
FROM TRUST FUNDS 3,541,940

TOTAL POSITIONS 369.00
TOTAL ALL FUNDS 23,544,494

PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,540,178

856 SALARIES AND BENEFITS POSITIONS 228.00
FROM GENERAL REVENUE FUND 13,085,558
FROM GRANTS AND DONATIONS TRUST FUND . . . 546,210

857 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,732
FROM GRANTS AND DONATIONS TRUST FUND . . . 79,194

858 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 553,029
FROM GRANTS AND DONATIONS TRUST FUND . . . 26,274

859 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 63,541

860 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 15,938

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,728,798
FROM TRUST FUNDS 651,678

TOTAL POSITIONS 228.00
TOTAL ALL FUNDS 14,380,476

PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 22,720,947

861 SALARIES AND BENEFITS POSITIONS 483.00
FROM GENERAL REVENUE FUND 24,603,777
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,839,829

862 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 147,960
FROM GRANTS AND DONATIONS TRUST FUND . . . 86,662

863 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 517,204
FROM GRANTS AND DONATIONS TRUST FUND . . . 752,366

864 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 99,731

SECTION 4
SPECIFIC
APPROPRIATION

865 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,009

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 25,391,681
FROM TRUST FUNDS 5,678,857

TOTAL POSITIONS 483.00
TOTAL ALL FUNDS 31,070,538

PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,357,858

866 SALARIES AND BENEFITS POSITIONS 245.00
FROM GENERAL REVENUE FUND 12,958,837
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,664,265

867 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 39,767
FROM GRANTS AND DONATIONS TRUST FUND . . . 83,867

868 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 644,606
FROM GRANTS AND DONATIONS TRUST FUND . . . 485,213

869 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 49,280

870 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,171
FROM GRANTS AND DONATIONS TRUST FUND . . . 20,000

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,698,661
FROM TRUST FUNDS 2,253,345

TOTAL POSITIONS 245.00
TOTAL ALL FUNDS 15,952,006

PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,362,021

871 SALARIES AND BENEFITS POSITIONS 141.00
FROM GENERAL REVENUE FUND 7,580,985
FROM GRANTS AND DONATIONS TRUST FUND . . . 674,058

872 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,640
FROM GRANTS AND DONATIONS TRUST FUND . . . 88,934

873 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 304,047
FROM GRANTS AND DONATIONS TRUST FUND . . . 19,315

874 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 40,278

875 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 13,676

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,947,626
FROM TRUST FUNDS 782,307

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL POSITIONS 141.00
TOTAL ALL FUNDS 8,729,933

PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 15,511,614

876 SALARIES AND BENEFITS POSITIONS 332.00
FROM GENERAL REVENUE FUND 18,863,939
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 155,391
FROM GRANTS AND DONATIONS TRUST FUND . . . 671,334

From the positions and funds provided in Specific Appropriation 876, two full-time equivalent positions with associated salary rate of 94,000 and $136,000 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

877 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 96,533
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 63,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000

878 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,013,231
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 35,225
FROM GRANTS AND DONATIONS TRUST FUND . . . 184,453

879 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 71,109

880 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 26,819

TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,071,631
FROM TRUST FUNDS 1,110,403

TOTAL POSITIONS 332.00
TOTAL ALL FUNDS 21,182,034

PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,753,772

881 SALARIES AND BENEFITS POSITIONS 219.00
FROM GENERAL REVENUE FUND 11,540,643
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,170,212

882 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 31,581
FROM GRANTS AND DONATIONS TRUST FUND . . . 121,659

883 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 240,208
FROM GRANTS AND DONATIONS TRUST FUND . . . 347,826

884 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,005

885 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 14,545

TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 11,870,982
FROM TRUST FUNDS 1,639,697

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	219.00	
TOTAL ALL FUNDS		13,510,679

PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 53,603,873

886	SALARIES AND BENEFITS POSITIONS	1,272.00	
	FROM GENERAL REVENUE FUND	45,527,597	
	FROM CHILD SUPPORT TRUST FUND		18,080,008
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		203,700
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,564,471

From the positions and funds provided in Specific Appropriation 886, two full-time equivalent positions with associated salary rate of 94,000 and $136,000 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

887	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	302,006	
	FROM CHILD SUPPORT TRUST FUND		868,300
	FROM GRANTS AND DONATIONS TRUST FUND . . .		286,053
888	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	845,828	
	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 . . .		1,585,751
889	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	470,381	
	FROM CHILD SUPPORT TRUST FUND		27,412
890	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	22,500	

TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	47,168,312	
FROM TRUST FUNDS		29,913,678
TOTAL POSITIONS	1,272.00	
TOTAL ALL FUNDS		77,081,990

PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 8,549,634

891	SALARIES AND BENEFITS POSITIONS	184.00	
	FROM GENERAL REVENUE FUND	10,670,281	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		175,000
892	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	23,502	
893	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	428,086	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		75,891
894	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	54,983	

SECTION 4
SPECIFIC
APPROPRIATION

895	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	9,580	

TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	11,186,432	
FROM TRUST FUNDS		250,891
TOTAL POSITIONS	184.00	
TOTAL ALL FUNDS		11,437,323

PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,705,891

896	SALARIES AND BENEFITS POSITIONS	355.00	
	FROM GENERAL REVENUE FUND	19,292,587	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,551,103

From the positions and funds provided in Specific Appropriation 896, two full-time equivalent positions with associated salary rate of 94,000 and $136,000 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

897	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	180,725	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		18,877
898	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	684,475	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		234,408
899	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	90,428	
900	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	6,913	

TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	20,255,128	
FROM TRUST FUNDS		1,804,388
TOTAL POSITIONS	355.00	
TOTAL ALL FUNDS		22,059,516

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,562,599

901	SALARIES AND BENEFITS POSITIONS	125.00	
	FROM GENERAL REVENUE FUND	7,065,022	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		413,207
902	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	9,899	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		29,900
903	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	250,396	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		39,588
904	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	28,847	

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SPECIFIC
APPROPRIATION

905 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,794

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,361,958
FROM TRUST FUNDS 482,695

TOTAL POSITIONS 125.00
TOTAL ALL FUNDS 7,844,653

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,069,366

906 SALARIES AND BENEFITS POSITIONS 336.00
FROM GENERAL REVENUE FUND 18,805,652
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 81,341
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,908,185

From the positions and funds provided in Specific Appropriation 906, two full-time equivalent positions with associated rate of 94,274 and $136,686 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

907 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 75,299
FROM GRANTS AND DONATIONS TRUST FUND . . . 90,178

908 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 643,382
FROM CIVIL RICO TRUST FUND 31,959
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 64,200
FROM GRANTS AND DONATIONS TRUST FUND . . . 152,259

909 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,779

910 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 10,702
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 19,589,814
FROM TRUST FUNDS 2,329,122

TOTAL POSITIONS 336.00
TOTAL ALL FUNDS 21,918,936

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,088,374

911 SALARIES AND BENEFITS POSITIONS 62.00
FROM GENERAL REVENUE FUND 3,635,663
FROM GRANTS AND DONATIONS TRUST FUND . . . 375,139

912 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,684
FROM GRANTS AND DONATIONS TRUST FUND . . . 76,054

913 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 144,058
FROM GRANTS AND DONATIONS TRUST FUND . . . 157,415

SECTION 4
SPECIFIC
APPROPRIATION

914 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,890

915 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,129

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,826,424
FROM TRUST FUNDS 608,608

TOTAL POSITIONS 62.00
TOTAL ALL FUNDS 4,435,032

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 24,035,116

916 SALARIES AND BENEFITS POSITIONS 516.00
FROM GENERAL REVENUE FUND 28,987,986
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,209,602

From the positions and funds provided in Specific Appropriation 916, two full-time equivalent positions with associated rate of 94,274 and $136,686 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

917 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 116,435
FROM GRANTS AND DONATIONS TRUST FUND . . . 122,864

918 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,218,565
FROM GRANTS AND DONATIONS TRUST FUND . . . 157,787

919 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 370,228

920 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,786

921 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 293

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 30,717,000
FROM TRUST FUNDS 2,490,546

TOTAL POSITIONS 516.00
TOTAL ALL FUNDS 33,207,546

PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 13,495,708

922 SALARIES AND BENEFITS POSITIONS 298.00
FROM GENERAL REVENUE FUND 16,097,094
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,195,095

923 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,415
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,500

SECTION 4
SPECIFIC
APPROPRIATION

924 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 648,467
FROM GRANTS AND DONATIONS TRUST FUND . . . 30,290

925 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 52,967

926 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,707

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 16,833,650
FROM TRUST FUNDS 1,257,885

TOTAL POSITIONS 298.00
TOTAL ALL FUNDS 18,091,535

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 7,810,267

927 SALARIES AND BENEFITS POSITIONS 168.00
FROM GENERAL REVENUE FUND 8,654,187
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,326,400

928 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,658
FROM GRANTS AND DONATIONS TRUST FUND . . . 76,678

929 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 538,453

930 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 53,323

931 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,874

932 SPECIAL CATEGORIES
LEAVE LIABILITY
FROM GRANTS AND DONATIONS TRUST FUND . . . 200,335

TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 9,274,495
FROM TRUST FUNDS 1,603,413

TOTAL POSITIONS 168.00
TOTAL ALL FUNDS 10,877,908

PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 13,686,232

933 SALARIES AND BENEFITS POSITIONS 302.00
FROM GENERAL REVENUE FUND 15,256,843
FROM CIVIL RICO TRUST FUND 312,077
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,776,408

934 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 32,503
FROM GRANTS AND DONATIONS TRUST FUND . . . 93,417

SECTION 4
SPECIFIC
APPROPRIATION

935 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CIVIL RICO TRUST FUND 20,000

936 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 847,521
FROM CIVIL RICO TRUST FUND 57,102
FROM GRANTS AND DONATIONS TRUST FUND . . . 102,800

937 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 73,178

938 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 21,288
FROM GRANTS AND DONATIONS TRUST FUND . . . 480

TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 16,231,333
FROM TRUST FUNDS 2,362,284

TOTAL POSITIONS 302.00
TOTAL ALL FUNDS 18,593,617

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 939 through 1035. The total funding for this office shall not exceed $400,000.

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,630,680

939 SALARIES AND BENEFITS POSITIONS 121.00
FROM GENERAL REVENUE FUND 6,995,655
FROM GRANTS AND DONATIONS TRUST FUND . . . 78,289
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 325,834

940 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,888
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 28,000

941 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 217,625
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 173,179

942 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 24,777

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,260,945
FROM TRUST FUNDS 610,302

TOTAL POSITIONS 121.00
TOTAL ALL FUNDS 7,871,247

PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT

SECTION 4
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 3,831,015

943 SALARIES AND BENEFITS POSITIONS 84.00
FROM GENERAL REVENUE FUND 4,846,540
FROM GRANTS AND DONATIONS TRUST FUND . . . 35,200
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 144,414

944 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,744
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 57,572

945 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 182,896
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,677
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 71,173

946 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,853

TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 5,066,033
FROM TRUST FUNDS 310,036

TOTAL POSITIONS 84.00
TOTAL ALL FUNDS 5,376,069

PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,809,270

947 SALARIES AND BENEFITS POSITIONS 30.00
FROM GENERAL REVENUE FUND 2,265,988
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 87,475

948 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 251
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 34,216

948A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 19,000

949 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 103,539
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 16,231

950 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,694

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,377,472
FROM TRUST FUNDS 156,922

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,534,394

PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT

SECTION 4
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 7,870,982

951 SALARIES AND BENEFITS POSITIONS 146.00
FROM GENERAL REVENUE FUND 9,486,210
FROM GRANTS AND DONATIONS TRUST FUND . . . 198,600
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 263,006

952 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,277
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 132,308

952A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 32,000

953 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 288,434
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 127,276

954 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 42,396

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 9,839,317
FROM TRUST FUNDS 803,190

TOTAL POSITIONS 146.00
TOTAL ALL FUNDS 10,642,507

PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,544,515

955 SALARIES AND BENEFITS POSITIONS 102.00
FROM GENERAL REVENUE FUND 5,862,689
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 180,134

956 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 408,139

957 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 129,445
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 173,550

958 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,541

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 6,037,675
FROM TRUST FUNDS 769,823

TOTAL POSITIONS 102.00
TOTAL ALL FUNDS 6,807,498

PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,797,361

959 SALARIES AND BENEFITS POSITIONS 225.00
FROM GENERAL REVENUE FUND 12,789,948

SECTION 4
SPECIFIC
APPROPRIATION

FROM GRANTS AND DONATIONS TRUST FUND . . .		218,621
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		745,260
960 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	79,552	
FROM GRANTS AND DONATIONS TRUST FUND . . .		4,836
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		111,956
961 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	541,126	
FROM GRANTS AND DONATIONS TRUST FUND . . .		8,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		279,482
962 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	69,456	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	13,480,082	
FROM TRUST FUNDS		1,368,155
TOTAL POSITIONS	225.00	
TOTAL ALL FUNDS		14,848,237

PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,445,616

963 SALARIES AND BENEFITS POSITIONS	117.00	
FROM GENERAL REVENUE FUND	6,914,618	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		175,085
964 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	30	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		3,230
965 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	161,632	
FROM GRANTS AND DONATIONS TRUST FUND . . .		6,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		99,760
966 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	41,360	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	7,117,640	
FROM TRUST FUNDS		284,075
TOTAL POSITIONS	117.00	
TOTAL ALL FUNDS		7,401,715

PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,556,593

967 SALARIES AND BENEFITS POSITIONS	74.00	
FROM GENERAL REVENUE FUND	4,583,044	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		102,230
968 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,919	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		66,600
969 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	117,926	
FROM GRANTS AND DONATIONS TRUST FUND . . .		5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		41,400
970 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	16,455	
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	4,730,344	
FROM TRUST FUNDS		215,230
TOTAL POSITIONS	74.00	
TOTAL ALL FUNDS		4,945,574

PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,261,831

971 SALARIES AND BENEFITS POSITIONS	208.00	
FROM GENERAL REVENUE FUND	9,173,674	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,339,740
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,765,834
972 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
973 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	759,420	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		959,690
974 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	35,233	
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	9,993,327	
FROM TRUST FUNDS		4,214,284
TOTAL POSITIONS	208.00	
TOTAL ALL FUNDS		14,207,611

PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,417,359

975 SALARIES AND BENEFITS POSITIONS	115.00	
FROM GENERAL REVENUE FUND	6,465,207	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		560,485
976 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,580	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		57,430
977 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		

SECTION 4
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	197,896	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		149,694
978 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	47,247	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	6,722,930	
FROM TRUST FUNDS		767,609
TOTAL POSITIONS	115.00	
TOTAL ALL FUNDS		7,490,539

PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 20,089,892

979 SALARIES AND BENEFITS POSITIONS	390.00	
FROM GENERAL REVENUE FUND	23,987,982	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,007,722
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		385,271
980 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	59,101	
FROM GRANTS AND DONATIONS TRUST FUND . . .		10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		5,000
981 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	92,054	
982 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	422,838	
FROM GRANTS AND DONATIONS TRUST FUND . . .		10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		5,000
983 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	179,654	
TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	24,741,629	
FROM TRUST FUNDS		1,422,993
TOTAL POSITIONS	390.00	
TOTAL ALL FUNDS		26,164,622

PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,666,957

984 SALARIES AND BENEFITS POSITIONS	96.50	
FROM GENERAL REVENUE FUND	5,415,630	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		345,699
985 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	20,085	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		20,000
986 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES		

SECTION 4
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	243,727	
FROM GRANTS AND DONATIONS TRUST FUND . . .		58,400
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		10,000
987 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	14,712	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	5,694,154	
FROM TRUST FUNDS		434,099
TOTAL POSITIONS	96.50	
TOTAL ALL FUNDS		6,128,253

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,313,817

988 SALARIES AND BENEFITS POSITIONS	225.75	
FROM GENERAL REVENUE FUND	11,774,293	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,128,906
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,570,141
989 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	46,996	
FROM GRANTS AND DONATIONS TRUST FUND . . .		100,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		11,201
990 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		44,000
991 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	553,519	
FROM GRANTS AND DONATIONS TRUST FUND . . .		107,844
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		86,223
992 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	32,004	
TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	12,406,812	
FROM TRUST FUNDS		3,048,315
TOTAL POSITIONS	225.75	
TOTAL ALL FUNDS		15,455,127

PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,111,225

993 SALARIES AND BENEFITS POSITIONS	61.00	
FROM GENERAL REVENUE FUND	3,799,539	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		101,458
994 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	7,101	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		140,706

SECTION 4
SPECIFIC
APPROPRIATION

995 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 146,637
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 127,036

996 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 63,227

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,016,504
FROM TRUST FUNDS 384,200

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 4,400,704

PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,269,484

997 SALARIES AND BENEFITS POSITIONS 197.00
FROM GENERAL REVENUE FUND 11,186,899
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 606,526

998 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 48,199
FROM GRANTS AND DONATIONS TRUST FUND . . . 107,666
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 27,708

999 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 174,213
FROM GRANTS AND DONATIONS TRUST FUND . . . 78,670
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 553,794

1000 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 80,675

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 11,489,986
FROM TRUST FUNDS 1,374,364

TOTAL POSITIONS 197.00
TOTAL ALL FUNDS 12,864,350

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,079,695

1001 SALARIES AND BENEFITS POSITIONS 43.00
FROM GENERAL REVENUE FUND 2,566,204
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 60,427

1002 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

1003 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 83,599

SECTION 4
SPECIFIC
APPROPRIATION

FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 1,300

1004 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 16,773

TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,673,544
FROM TRUST FUNDS 78,074

TOTAL POSITIONS 43.00
TOTAL ALL FUNDS 2,751,618

PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 12,358,336

1005 SALARIES AND BENEFITS POSITIONS 226.00
FROM GENERAL REVENUE FUND 13,860,246
FROM GRANTS AND DONATIONS TRUST FUND . . . 380,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 1,054,340

1006 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 83,287
FROM GRANTS AND DONATIONS TRUST FUND . . . 640,708
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 84,000

1007 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 456,931
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 265,305

1008 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 33,350

TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 14,433,814
FROM TRUST FUNDS 2,424,353

TOTAL POSITIONS 226.00
TOTAL ALL FUNDS 16,858,167

PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,022,384

1009 SALARIES AND BENEFITS POSITIONS 120.00
FROM GENERAL REVENUE FUND 6,107,157
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 1,422,305

1010 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,953
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 28,160

1010A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 38,100

1011 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES

SECTION 4
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	360,779	
FROM GRANTS AND DONATIONS TRUST FUND . . .		5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		438,193
1012 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	43,111	
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	6,524,000	
FROM TRUST FUNDS		1,931,758
TOTAL POSITIONS	120.00	
TOTAL ALL FUNDS		8,455,758

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,788,345

1013 SALARIES AND BENEFITS POSITIONS	78.00	
FROM GENERAL REVENUE FUND	4,330,957	
FROM GRANTS AND DONATIONS TRUST FUND . . .		254,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		323,258
1014 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	20,143	
FROM GRANTS AND DONATIONS TRUST FUND . . .		12,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		135,550
1015 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	124,421	
FROM GRANTS AND DONATIONS TRUST FUND . . .		250,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		178,640
1016 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	30,535	
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	4,506,056	
FROM TRUST FUNDS		1,153,448
TOTAL POSITIONS	78.00	
TOTAL ALL FUNDS		5,659,504

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,241,860

1017 SALARIES AND BENEFITS POSITIONS	130.00	
FROM GENERAL REVENUE FUND	6,785,748	
FROM GRANTS AND DONATIONS TRUST FUND . . .		691,205
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		688,234
1018 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	15,287	
FROM GRANTS AND DONATIONS TRUST FUND . . .		20,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		165,353
1019 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	365,071	

SECTION 4
SPECIFIC
APPROPRIATION

FROM GRANTS AND DONATIONS TRUST FUND . . .		432,125
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		405,182
1020 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	30,766	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	7,196,872	
FROM TRUST FUNDS		2,402,099
TOTAL POSITIONS	130.00	
TOTAL ALL FUNDS		9,598,971

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,810,830

1021 SALARIES AND BENEFITS POSITIONS	34.00	
FROM GENERAL REVENUE FUND	2,206,735	
1022 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,114	
1023 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	145,763	
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	2,353,612	
TOTAL POSITIONS	34.00	
TOTAL ALL FUNDS		2,353,612

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,786,080

1024 SALARIES AND BENEFITS POSITIONS	33.00	
FROM GENERAL REVENUE FUND	2,133,840	
1025 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	2,400	
1026 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	139,786	
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	2,276,026	
TOTAL POSITIONS	33.00	
TOTAL ALL FUNDS		2,276,026

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,502,924

1027 SALARIES AND BENEFITS POSITIONS	50.00	
FROM GENERAL REVENUE FUND	3,040,045	
1028 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	736,523	

SECTION 4
SPECIFIC
APPROPRIATION

1029 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 141,613

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,918,181

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 3,918,181

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,597,104

1030 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,888,511

1031 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 3,778

1032 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 93,318

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 1,985,607

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 1,985,607

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,554,079

1033 SALARIES AND BENEFITS POSITIONS 37.00
FROM GENERAL REVENUE FUND 3,058,065

1035 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 40,524

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,098,589

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 3,098,589

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: MIDDLE REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 2,278,893

1036 SALARIES AND BENEFITS POSITIONS 41.00
FROM GENERAL REVENUE FUND 2,947,328

1037 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 33,911

1038 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 508,004

SECTION 4
SPECIFIC
APPROPRIATION

1039 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 2,010

1040 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 451,259

1041 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,350

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,949,862

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 3,949,862

PROGRAM: SOUTHERN REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 1,805,947

1042 SALARIES AND BENEFITS POSITIONS 32.00
FROM GENERAL REVENUE FUND 2,289,228

1043 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,808

1044 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 613,367

1045 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,000

1046 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 401,805

1047 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,657

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,319,865

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 3,319,865

CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

APPROVED SALARY RATE 5,267,025

1048 SALARIES AND BENEFITS POSITIONS 108.00
FROM GENERAL REVENUE FUND 7,245,376

1049 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 342,770

1050 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,044,390
FROM INDIGENT CIVIL DEFENSE TRUST FUND . . 233,446

SECTION 4
SPECIFIC
APPROPRIATION

1051 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 81,410

1052 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 8,743,515
FROM TRUST FUNDS 233,446

TOTAL POSITIONS 108.00
TOTAL ALL FUNDS 8,976,961

PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND

APPROVED SALARY RATE 4,675,609

1053 SALARIES AND BENEFITS POSITIONS 99.00
FROM GENERAL REVENUE FUND 6,449,411

1054 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 284,581

1055 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,116,734
FROM INDIGENT CIVIL DEFENSE TRUST FUND . . 234,488

1056 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 71,844

1057 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 7,951,280
FROM TRUST FUNDS 234,488

TOTAL POSITIONS 99.00
TOTAL ALL FUNDS 8,185,768

PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD

APPROVED SALARY RATE 2,290,031

1058 SALARIES AND BENEFITS POSITIONS 47.00
FROM GENERAL REVENUE FUND 3,137,140

1059 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 156,474

1060 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,479,611
FROM INDIGENT CIVIL DEFENSE TRUST FUND . . 86,956

1061 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 34,955

1062 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 13,769

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TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD
FROM GENERAL REVENUE FUND 4,821,949
FROM TRUST FUNDS 86,956

TOTAL POSITIONS 47.00
TOTAL ALL FUNDS 4,908,905

PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH

APPROVED SALARY RATE 3,042,588

1063 SALARIES AND BENEFITS POSITIONS 63.00
FROM GENERAL REVENUE FUND 4,179,047

1064 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 213,771

1065 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,546,193
FROM INDIGENT CIVIL DEFENSE TRUST FUND . . 121,892

1066 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 47,521

1067 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 7,004,989
FROM TRUST FUNDS 121,892

TOTAL POSITIONS 63.00
TOTAL ALL FUNDS 7,126,881

PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH

APPROVED SALARY RATE 3,074,456

1068 SALARIES AND BENEFITS POSITIONS 67.00
FROM GENERAL REVENUE FUND 4,259,952

1069 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 208,569

1070 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,302,793
FROM INDIGENT CIVIL DEFENSE TRUST FUND . . 195,193

1071 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 50,288

1072 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 5,841,230
FROM TRUST FUNDS 195,193

TOTAL POSITIONS 67.00
TOTAL ALL FUNDS 6,036,423

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JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1073 through 1158, 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 1073 through 1158, 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 1073 through 1158, 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 1073 through 1158, the Department of Juvenile Justice must before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission for approval.

PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

	APPROVED SALARY RATE 64,380,718		
1073	SALARIES AND BENEFITS POSITIONS 2,026.50		
	FROM GENERAL REVENUE FUND	14,023,402	
	FROM FEDERAL GRANTS TRUST FUND		2,412
	FROM GRANTS AND DONATIONS TRUST FUND . . .		234,001
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		76,617,510
1074	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	314,747	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		306,204
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		2,138,539
1075	EXPENSES		
	FROM GENERAL REVENUE FUND	1,773,419	
	FROM FEDERAL GRANTS TRUST FUND		712,905
	FROM GRANTS AND DONATIONS TRUST FUND . . .		655,591
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		5,306,283
1076	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
1077	SPECIAL CATEGORIES LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	179,110	

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1078	SPECIAL CATEGORIES GRANTS AND AIDS - GRANTS TO FISCALLY CONSTRAINED COUNTIES FOR DETENTION CENTER COSTS		
	FROM GENERAL REVENUE FUND	6,463,176	
1079	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	615,150	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		1,908,237
1080	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,948,782	
	FROM FEDERAL GRANTS TRUST FUND		1,656,880
	FROM GRANTS AND DONATIONS TRUST FUND . . .		253,128
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		8,689,757
1081	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	597,100	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		3,989,880
1082	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	134,877	
	FROM FEDERAL GRANTS TRUST FUND		541
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND		713,675
1083	FIXED CAPITAL OUTLAY DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS		
	FROM GENERAL REVENUE FUND	250,000	
TOTAL:	DETENTION CENTERS		
	FROM GENERAL REVENUE FUND	30,310,534	
	FROM TRUST FUNDS		103,412,809
	TOTAL POSITIONS	2,026.50	
	TOTAL ALL FUNDS		133,723,343

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM

AFTERCARE SERVICES - CONDITIONAL RELEASE

	APPROVED SALARY RATE 839,932		
1084	SALARIES AND BENEFITS POSITIONS 25.00		
	FROM GENERAL REVENUE FUND	1,103,485	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,675
1085	EXPENSES		
	FROM GENERAL REVENUE FUND	126,235	
1086	SPECIAL CATEGORIES LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	1,487,128	
1087	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,714	
1088	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	28,686,978	

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FROM GRANTS AND DONATIONS TRUST FUND . . .		1,519,035
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		992
1089 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	31,415,325	
FROM TRUST FUNDS		1,522,726
TOTAL POSITIONS	25.00	
TOTAL ALL FUNDS		32,938,051

JUVENILE PROBATION

APPROVED SALARY RATE 52,976,019

1090 SALARIES AND BENEFITS POSITIONS	1,522.50	
FROM GENERAL REVENUE FUND	61,952,309	
FROM FEDERAL GRANTS TRUST FUND		30,672
FROM GRANTS AND DONATIONS TRUST FUND . . .		64,404
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		7,645,060
1091 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	902,879	
FROM FEDERAL GRANTS TRUST FUND		88,064
FROM GRANTS AND DONATIONS TRUST FUND . . .		117,555
1092 EXPENSES		
FROM GENERAL REVENUE FUND	8,909,728	
FROM FEDERAL GRANTS TRUST FUND		50,479
FROM GRANTS AND DONATIONS TRUST FUND . . .		7,407
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		494,362
1093 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	71,550	
1094 SPECIAL CATEGORIES		
JUVENILE REDIRECTIONS PROGRAM		
FROM GENERAL REVENUE FUND	9,755,177	

Funds in Specific Appropriation 1094 are provided for the redirection program subject to the requirements and limitations in effect during Fiscal Year 2007-2008. 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.

The department, in consultation with the Office of Program Policy Analysis and Governmental Accountability (OPPAGA), shall gather and maintain the data necessary to allow OPPAGA to continue the longitudinal evaluation of the program, including program expansions, which shall include a comparison of the effectiveness of the various components of the program.

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1095 SPECIAL CATEGORIES		
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
FROM GENERAL REVENUE FUND	297,595	
1096 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,037,372	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		70,346
1097 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	10,691,360	
FROM FEDERAL GRANTS TRUST FUND		396,195
FROM GRANTS AND DONATIONS TRUST FUND . . .		14,813
1098 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	481,484	
1099 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	12,960	
1100 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	532,790	
FROM FEDERAL GRANTS TRUST FUND		44,345
FROM GRANTS AND DONATIONS TRUST FUND . . .		29,699
TOTAL: JUVENILE PROBATION		
FROM GENERAL REVENUE FUND	94,645,204	
FROM TRUST FUNDS		9,053,401
TOTAL POSITIONS	1,522.50	
TOTAL ALL FUNDS		103,698,605

NON-RESIDENTIAL DELINQUENCY REHABILITATION

1102 SPECIAL CATEGORIES		
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
FROM GENERAL REVENUE FUND	192,000	
1103 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	19,356,154	
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	19,548,154	
FROM TRUST FUNDS		99,465
TOTAL ALL FUNDS		19,647,619

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,839,216

1104 SALARIES AND BENEFITS POSITIONS	232.50	
FROM GENERAL REVENUE FUND	12,719,486	
FROM FEDERAL GRANTS TRUST FUND		95,969
FROM GRANTS AND DONATIONS TRUST FUND . . .		288,468

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1105 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	685,886	
FROM ADMINISTRATIVE TRUST FUND		72,341
FROM JUVENILE JUSTICE TRAINING TRUST FUND		11,712
1106 EXPENSES		
FROM GENERAL REVENUE FUND	2,642,842	
FROM ADMINISTRATIVE TRUST FUND		683,335
FROM FEDERAL GRANTS TRUST FUND		14,396
FROM GRANTS AND DONATIONS TRUST FUND . . .		149,305
FROM JUVENILE JUSTICE TRAINING TRUST FUND		759,326
1107 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	34,210	
1108 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	432,000	
1109 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	17,014	
1110 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	581,518	
FROM GRANTS AND DONATIONS TRUST FUND . . .		208,537
1111 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	251,221	
FROM JUVENILE JUSTICE TRAINING TRUST FUND		1,989,189
1112 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	115,638	
1113 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	17,578,190	
FROM TRUST FUNDS		4,275,559
TOTAL POSITIONS	232.50	
TOTAL ALL FUNDS		21,853,749

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,929,225

1114 SALARIES AND BENEFITS POSITIONS	64.50	
FROM GENERAL REVENUE FUND	3,674,848	
1115 EXPENSES		
FROM GENERAL REVENUE FUND	2,196,321	
FROM ADMINISTRATIVE TRUST FUND		47,820
1116 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	87,841	
1117 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	653,122	

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1118 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	15,390	
1119 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM GENERAL REVENUE FUND	26,633	
1120 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	25,308	
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	6,679,463	
FROM TRUST FUNDS		47,820
TOTAL POSITIONS	64.50	
TOTAL ALL FUNDS		6,727,283

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1121 through 1146 , 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 Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council prior to implementing any change.

From the funds in Specific Appropriations 1121 through 1146, for determining the most appropriate bed reductions in each level of residential commitments, the department may consider those residential commitment programs, which have scored below 72 on the overall program score represented in the Comprehensive Accountability Report, in determining which level of residential beds should be reduced. 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 Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council.

NON-SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE 9,086,623

1121 SALARIES AND BENEFITS POSITIONS	295.00	
FROM GENERAL REVENUE FUND	9,912,711	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,921,248
1122 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	107,583	
FROM FEDERAL GRANTS TRUST FUND		134,909
FROM GRANTS AND DONATIONS TRUST FUND . . .		31,862
1123 EXPENSES		
FROM GENERAL REVENUE FUND	1,374,153	
FROM FEDERAL GRANTS TRUST FUND		397,274
FROM GRANTS AND DONATIONS TRUST FUND . . .		21,226
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		264,925
1124 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND . . .		21,231
1125 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	458,209	
FROM FEDERAL GRANTS TRUST FUND		138,468

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1126 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 46,429

1127 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 552,418
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 186,402

1128 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 122,453,606
FROM FEDERAL GRANTS TRUST FUND 159,900
FROM GRANTS AND DONATIONS TRUST FUND . . . 541,744
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,132,034

1129 SPECIAL CATEGORIES
SHERIFFS' TRAINING AND RESPECT (STAR) ACADEMIES - RESIDENTIAL AND AFTERCARE SERVICES
FROM GENERAL REVENUE FUND 1,241,985

Funds in Specific Appropriation 1129 are provided for Sheriffs' Training and Respect (STAR) programs as authorized by section 985.4891, Florida Statutes. No funds from Specific Appropriations 1073 through 1158 shall be expended for boot camp programs previously authorized by section 985.309, Florida Statutes.

1130 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,285,240
FROM GRANTS AND DONATIONS TRUST FUND . . . 65,503

1131 SPECIAL CATEGORIES
GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES
FROM GENERAL REVENUE FUND 5,467,000

1132 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 116,417

TOTAL: NON-SECURE RESIDENTIAL COMMITMENT
FROM GENERAL REVENUE FUND 143,015,751
FROM TRUST FUNDS 7,016,726

TOTAL POSITIONS 295.00
TOTAL ALL FUNDS 150,032,477

SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE 26,280,682

1134 SALARIES AND BENEFITS POSITIONS 745.00
FROM GENERAL REVENUE FUND 33,623,302
FROM FEDERAL GRANTS TRUST FUND 93,671
FROM GRANTS AND DONATIONS TRUST FUND . . . 238,001
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,277,013

1135 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 859,426
FROM FEDERAL GRANTS TRUST FUND 176,109
FROM GRANTS AND DONATIONS TRUST FUND . . . 67,000

1136 EXPENSES
FROM GENERAL REVENUE FUND 3,050,384
FROM FEDERAL GRANTS TRUST FUND 227,748

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1137 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 33,861

1138 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 457,973
FROM FEDERAL GRANTS TRUST FUND 57,637

1139 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTUAL SERVICES-DOZIER TRAINING SCHOOL
FROM GENERAL REVENUE FUND 429,875
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 105,187

1140 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTUAL SERVICES-OKEECHOBEE TRAINING SCHOOL
FROM GENERAL REVENUE FUND 6,652,143
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,088
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,546,273

1141 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,534,707

1142 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 26,706,239
FROM FEDERAL GRANTS TRUST FUND 1,396,290
FROM GRANTS AND DONATIONS TRUST FUND . . . 703,189
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 30,808,311

1143 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 985,780

1144 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 275,040
FROM FEDERAL GRANTS TRUST FUND 6,365
FROM GRANTS AND DONATIONS TRUST FUND . . . 16,172

1146 FIXED CAPITAL OUTLAY
JUVENILE FACILITIES - LEASE PURCHASE
FROM GENERAL REVENUE FUND 1,806,244

TOTAL: SECURE RESIDENTIAL COMMITMENT
FROM GENERAL REVENUE FUND 76,381,113
FROM TRUST FUNDS 38,784,915

TOTAL POSITIONS 745.00
TOTAL ALL FUNDS 115,166,028

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

APPROVED SALARY RATE 849,996

1147 SALARIES AND BENEFITS POSITIONS 17.00
FROM GENERAL REVENUE FUND 469,774
FROM FEDERAL GRANTS TRUST FUND 51,411
FROM GRANTS AND DONATIONS TRUST FUND . . . 456,390

1148 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 299,163
FROM FEDERAL GRANTS TRUST FUND 100,034
FROM GRANTS AND DONATIONS TRUST FUND . . . 141,126

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1149 EXPENSES
FROM GENERAL REVENUE FUND 266,247
FROM FEDERAL GRANTS TRUST FUND 69,500
FROM GRANTS AND DONATIONS TRUST FUND . . . 282,180

1150 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INVEST IN CHILDREN
FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND 519,338

1151 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 12,450
FROM GRANTS AND DONATIONS TRUST FUND . . . 12,450

1152 SPECIAL CATEGORIES
PACE CENTERS
FROM GENERAL REVENUE FUND 10,110,117
FROM GRANTS AND DONATIONS TRUST FUND . . . 805,714

Funds provided in Specific Appropriations 1152 and 1157 shall be directed to those programs that prevent, intervene early and divert youth from the juvenile justice and the child welfare systems. Programs funded with these appropriations must be outcome based with outcomes tied to the populations served. The Office of Program Policy and Government Accountability shall evaluate the effectiveness of funds from these specific appropriations used to contract with the Florida Network of Youth and Family Services and its providers, and PACE Centers for Girls to determine the following:

(a) the continuing need for a single gatekeeper to implement the CINS/FINS contracts;

(b) the effectiveness of the screening and assessment tools in identifying the targeted populations;

(c) the development and implementation of evidenced-based programs and services to meet the needs of the targeted population;

(d) the effectiveness of monitoring tools used by the department, the Network and providers; and

(e) the use of output and outcome measures to determine program costs and effectiveness.

The Office of Program Policy and Government Accountability shall develop a report to the Legislature that summarizes the above information and provides recommendations for policy and contractual changes that will maximize funding, improve program performance and provide successful outcomes for at risk youth. The report shall be submitted on or before January 1, 2009, to the Governor, the President of the Senate and the Speaker of the House.

1153 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 981,040

From the funds in Specific Appropriation 1153, $678,209 from recurring general revenue is provided to the PAR Adolescent Intervention Center (PAIC) Pasco.

1154 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 35,126
FROM FEDERAL GRANTS TRUST FUND 50,000

1155 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 792,948
FROM FEDERAL GRANTS TRUST FUND 5,325,799
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,570,115
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,639

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1156 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,139

1157 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN/FAMILIES IN NEED OF SERVICES
FROM GENERAL REVENUE FUND 25,110,356
FROM FEDERAL GRANTS TRUST FUND 1,000,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,194,286
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 383,858

From the funds in Specific Appropriation 1157, 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 shall be offered throughout the judicial circuit served by the CINS/FINS provider.

1158 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 38,072,413
FROM TRUST FUNDS 20,981,074

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 59,053,487

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,317,701

1159 SALARIES AND BENEFITS POSITIONS 124.00
FROM GENERAL REVENUE FUND 3,539,109
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 513,467
FROM FEDERAL GRANTS TRUST FUND 503,199
FROM OPERATING TRUST FUND 2,828,057

1160 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

1161 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
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 286,666

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FROM OPERATING TRUST FUND		546,467
FROM REVOLVING TRUST FUND		1,000,000
1162 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - STATE AGENCIES FROM FEDERAL GRANTS TRUST FUND		2,683,102
1163 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - LOCAL GOVERNMENTS FROM FEDERAL GRANTS TRUST FUND		1,529,434
1164 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS FROM FEDERAL GRANTS TRUST FUND		1,263,483
1165 AID TO LOCAL GOVERNMENTS BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND		19,118,106
1166 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	24,616	
FROM FEDERAL GRANTS TRUST FUND		4,000
FROM OPERATING TRUST FUND		337
1167 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	9,650	
FROM OPERATING TRUST FUND		402
1168 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY AND STATEWIDE DRUG ABUSE PREVENTION PROGRAM FROM FEDERAL GRANTS TRUST FUND		4,497,908
1169 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
1170 SPECIAL CATEGORIES DOMESTIC SECURITY FROM OPERATING TRUST FUND		400,000
1171 SPECIAL CATEGORIES OVERTIME FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		748
1172 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	13,395	
FROM ADMINISTRATIVE TRUST FUND		1,864
FROM FEDERAL GRANTS TRUST FUND		12,125
FROM OPERATING TRUST FUND		15,295
1173 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	19,667	
1174 SPECIAL CATEGORIES BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND		10,412,678

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1175 SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT FROM FEDERAL GRANTS TRUST FUND		1,247,724
1176 SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY FROM FEDERAL GRANTS TRUST FUND		3,675,511
1177 SPECIAL CATEGORIES GRANTS AND AID - LOCAL LAW ENFORCEMENT BLOCK GRANT - LOCAL UNITS OF GOVERNMENT FROM FEDERAL GRANTS TRUST FUND		768,522
1178 SPECIAL CATEGORIES GRANTS AND AID - VIOLENT OFFENDER INCARCERATIONS AND TRUTH-IN- SENTENCING INCENTIVE PROGRAM - STATE AGENCY FROM FEDERAL GRANTS TRUST FUND		5,854,137
1179 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	4,560,554	
FROM TRUST FUNDS		58,113,494
TOTAL POSITIONS	124.00	
TOTAL ALL FUNDS		62,674,048

PROGRAM: FLORIDA CAPITOL POLICE PROGRAM

CAPITOL POLICE SERVICES

APPROVED SALARY RATE	3,505,867		
1181 SALARIES AND BENEFITS	POSITIONS	88.00	
FROM GENERAL REVENUE FUND		2,167	
FROM OPERATING TRUST FUND			4,977,559
1182 OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND			3,778
1183 EXPENSES FROM OPERATING TRUST FUND			601,842
1184 OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND			85,369
1185 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM OPERATING TRUST FUND			30,500
1186 SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND			70,084
1187 SPECIAL CATEGORIES CAPITOL COMPLEX SECURITY			
FROM GENERAL REVENUE FUND		7,360	
FROM OPERATING TRUST FUND			20,000
1188 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND			152,581

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1189 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 38,064

1190 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

1191 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF
MANAGEMENT SERVICES
FROM OPERATING TRUST FUND 6,969

TOTAL: CAPITOL POLICE SERVICES
FROM GENERAL REVENUE FUND 9,960
FROM TRUST FUNDS 6,021,519

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 6,031,479

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE
PROGRAM

PROVIDE CRIME LAB SERVICES

APPROVED SALARY RATE 19,745,607

1192 SALARIES AND BENEFITS POSITIONS 415.00
FROM GENERAL REVENUE FUND 27,642,802
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 40,153
FROM FEDERAL GRANTS TRUST FUND 14,922
FROM OPERATING TRUST FUND 209,995

1193 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,211
FROM FEDERAL GRANTS TRUST FUND 15,000

1194 EXPENSES
FROM GENERAL REVENUE FUND 5,949,827
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 1194, 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 1194 for the purpose of processing rape kits, including the backlog of non-suspect rape cases.

1195 AID TO LOCAL GOVERNMENTS
CRIMINAL INVESTIGATIONS
FROM FEDERAL GRANTS TRUST FUND 1,811,474
FROM OPERATING TRUST FUND 2,379,702

1196 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 364,099
FROM ADMINISTRATIVE TRUST FUND 5,000
FROM FEDERAL GRANTS TRUST FUND 2,293,028

1197 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 168,960

1198 SPECIAL CATEGORIES
PERFORMANCE ADJUSTMENTS
FROM GENERAL REVENUE FUND 401,900

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1199 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 548,628
FROM FEDERAL GRANTS TRUST FUND 1,407,918

1200 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 92,036

1201 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 35,248,821
FROM TRUST FUNDS 10,413,815

TOTAL POSITIONS 415.00
TOTAL ALL FUNDS 45,662,636

PROVIDE INVESTIGATIVE SERVICES

APPROVED SALARY RATE 38,977,589

1202 SALARIES AND BENEFITS POSITIONS 705.00
FROM GENERAL REVENUE FUND 42,862,312
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 1,157,813
FROM FEDERAL GRANTS TRUST FUND 643,345
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,980
FROM OPERATING TRUST FUND 9,583,140

1203 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 88,070

1204 EXPENSES
FROM GENERAL REVENUE FUND 8,195,168
FROM ADMINISTRATIVE TRUST FUND 132,670
FROM FEDERAL GRANTS TRUST FUND 297,647
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 843,875
FROM OPERATING TRUST FUND 3,380,435

From the funds provided in Specific Appropriation 1204 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.

1205 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

1206 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 491,854
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 580,000

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1207 SPECIAL CATEGORIES
FLORIDA SEAPORT SECURITY IMPROVEMENTS
FROM GENERAL REVENUE FUND 288,597

1208 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 580,902
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 175,817

1209 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM GENERAL REVENUE FUND 1,350,267
FROM FEDERAL GRANTS TRUST FUND 1,522,672

1210 SPECIAL CATEGORIES
GRANTS AND AIDS - SPECIAL PROJECTS
FROM GENERAL REVENUE FUND 232,461
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,000

1211 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

1212 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 369,689
FROM OPERATING TRUST FUND 108,661

1213 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 483,991
FROM OPERATING TRUST FUND 32,760

1214 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 108,664

1215 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 17,592

1216 FIXED CAPITAL OUTLAY
MINOR REPAIRS AND RENOVATIONS AT REGIONAL OPERATING FACILITIES
FROM OPERATING TRUST FUND 500,000

TOTAL: PROVIDE INVESTIGATIVE SERVICES
FROM GENERAL REVENUE FUND 55,577,157
FROM TRUST FUNDS 21,276,966

TOTAL POSITIONS 705.00
TOTAL ALL FUNDS 76,854,123

MUTUAL AID AND PREVENTION SERVICES

APPROVED SALARY RATE 1,189,822

1217 SALARIES AND BENEFITS POSITIONS 20.00
FROM GENERAL REVENUE FUND 1,563,986
FROM OPERATING TRUST FUND 31,663

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1218 EXPENSES
FROM GENERAL REVENUE FUND 131,246

1219 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 9,441

1220 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,108

1221 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 1,715,983
FROM TRUST FUNDS 31,829

TOTAL POSITIONS 20.00
TOTAL ALL FUNDS 1,747,812

PUBLIC ASSISTANCE FRAUD INVESTIGATIONS

APPROVED SALARY RATE 4,266,272

1222 SALARIES AND BENEFITS POSITIONS 79.00
FROM GENERAL REVENUE FUND 2,065,469
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 32,363
FROM FEDERAL GRANTS TRUST FUND 3,643,093
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,527

1223 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

1224 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

1225 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 73,058

1226 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

1227 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 16,438

1228 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 18,141
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 220
FROM FEDERAL GRANTS TRUST FUND 19,714
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,958

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1229 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 2,721,349
FROM TRUST FUNDS 4,337,137

TOTAL POSITIONS 79.00
TOTAL ALL FUNDS 7,058,486

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY

APPROVED SALARY RATE 6,678,731

1230 SALARIES AND BENEFITS POSITIONS 128.00
FROM GENERAL REVENUE FUND 120,547
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 140,418
FROM FEDERAL GRANTS TRUST FUND 62,966
FROM OPERATING TRUST FUND 7,384,883

1231 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 5,838
FROM FEDERAL GRANTS TRUST FUND 276,919
FROM OPERATING TRUST FUND 225,604

1232 EXPENSES
FROM GENERAL REVENUE FUND 34,944
FROM ADMINISTRATIVE TRUST FUND 2,202
FROM FEDERAL GRANTS TRUST FUND 33,107
FROM OPERATING TRUST FUND 8,075,145

1233 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 5,000
FROM FEDERAL GRANTS TRUST FUND 452,399
FROM OPERATING TRUST FUND 3,051,713

1234 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 6,791,004

1235 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 46,200

1236 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 19,310

1237 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM OPERATING TRUST FUND 1,067,110

1238 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 42,338

1238A QUALIFIED EXPENDITURE CATEGORY
INTEGRATED CRIMINAL HISTORY SYSTEM - FALCON
FROM OPERATING TRUST FUND 4,315,866

1239 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 164,380
FROM TRUST FUNDS 32,585,170

TOTAL POSITIONS 128.00
TOTAL ALL FUNDS 32,749,550

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES

APPROVED SALARY RATE 10,350,899

1240 SALARIES AND BENEFITS POSITIONS 293.00
FROM GENERAL REVENUE FUND 373,386
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND 206,441
FROM FEDERAL GRANTS TRUST FUND 459,146
FROM OPERATING TRUST FUND 12,527,695

1241 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

1242 EXPENSES
FROM GENERAL REVENUE FUND 172,721
FROM ADMINISTRATIVE TRUST FUND 85,781
FROM FEDERAL GRANTS TRUST FUND 320,085
FROM OPERATING TRUST FUND 2,024,694

1243 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,600
FROM OPERATING TRUST FUND 311,792

1244 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 402
FROM OPERATING TRUST FUND 93,168

1245 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 704,038

1246 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 218,946

1247 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 68,937

1248 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 5,160

1249 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 AND

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TRAINING TRUST FUND		1,732
FROM FEDERAL GRANTS TRUST FUND		3,948
FROM OPERATING TRUST FUND		109,593
TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	768,698	
FROM TRUST FUNDS		17,952,394
TOTAL POSITIONS	293.00	
TOTAL ALL FUNDS		18,721,092

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

APPROVED SALARY RATE 2,701,276

1250	SALARIES AND BENEFITS POSITIONS	55.00	
	FROM GENERAL REVENUE FUND	39,487	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,227,323
1251	OTHER PERSONAL SERVICES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		205,380
1252	EXPENSES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		432,265
1253	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		96,580
1254	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM OPERATING TRUST FUND		100,000
1255	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		10,432
1256	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SPECIAL EDUCATION AND TECHNICAL TRAINING		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		6,001,252
1257	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	39,733	
	FROM TRUST FUNDS		10,095,991
	TOTAL POSITIONS	55.00	
	TOTAL ALL FUNDS		10,135,724

LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES

APPROVED SALARY RATE 2,816,009

1258	SALARIES AND BENEFITS POSITIONS	56.00	
	FROM GENERAL REVENUE FUND	341,134	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,128,799
	FROM OPERATING TRUST FUND		213,528
1259	OTHER PERSONAL SERVICES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		660,798
	FROM OPERATING TRUST FUND		3,000
1260	EXPENSES		
	FROM GENERAL REVENUE FUND	20,368	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,800,393
	FROM OPERATING TRUST FUND		61,178
1261	OPERATING CAPITAL OUTLAY		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		203,819
1262	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,000	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		393,943
	FROM OPERATING TRUST FUND		36,579
1263	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		8,951
1264	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	4,290	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		5,070
1265	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	369,021	
	FROM TRUST FUNDS		6,537,771
	TOTAL POSITIONS	56.00	
	TOTAL ALL FUNDS		6,906,792

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

CIVIL ENFORCEMENT

APPROVED SALARY RATE 28,088,585

1266	SALARIES AND BENEFITS POSITIONS	625.00	
	FROM GENERAL REVENUE FUND	6,172,759	
	FROM CRIMES COMPENSATION TRUST FUND . . .		240,636
	FROM FEDERAL GRANTS TRUST FUND		11,901,569
	FROM LEGAL SERVICES TRUST FUND		10,553,796
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		6,548,691
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		1,444,175
	FROM OPERATING TRUST FUND		500,000
1267	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	94,464	

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FROM FEDERAL GRANTS TRUST FUND		125,709
FROM LEGAL SERVICES TRUST FUND		210,834
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		85,512
1268 EXPENSES		
FROM GENERAL REVENUE FUND	925,669	
FROM CRIMES COMPENSATION TRUST FUND . . .		29,466
FROM FEDERAL GRANTS TRUST FUND		1,829,788
FROM LEGAL SERVICES TRUST FUND		1,485,200
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		5,539
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		427,384
FROM OPERATING TRUST FUND		7,830
1269 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	117,222	
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
1270 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	56,175	
FROM FEDERAL GRANTS TRUST FUND		203,551
1271 SPECIAL CATEGORIES		
ANTITRUST INVESTIGATIONS		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		1,479,256
1272 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	74,979	
FROM FEDERAL GRANTS TRUST FUND		144,731
FROM LEGAL SERVICES TRUST FUND		719,580
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		74,281
1273 SPECIAL CATEGORIES		
ECONOMIC CRIME LITIGATION		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		5,062,841
1274 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	46,343	
FROM FEDERAL GRANTS TRUST FUND		101,080
FROM LEGAL SERVICES TRUST FUND		138,708
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		87,335
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		9,740
1275 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	72,631	
FROM CRIMES COMPENSATION TRUST FUND . . .		5,920
FROM FEDERAL GRANTS TRUST FUND		97,661
1276 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		79,855
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,663
FROM LEGAL SERVICES TRUST FUND		71,343
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		36,078
FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		9,762
1277 DATA PROCESSING SERVICES		
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		7,448
1278 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

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TOTAL: CIVIL ENFORCEMENT		
FROM GENERAL REVENUE FUND	7,630,955	
FROM TRUST FUNDS		44,876,611
TOTAL POSITIONS	625.00	
TOTAL ALL FUNDS		52,507,566

CONSTITUTIONAL LEGAL SERVICES

APPROVED SALARY RATE 1,587,465

1279 SALARIES AND BENEFITS POSITIONS	24.50	
FROM GENERAL REVENUE FUND	1,936,844	
FROM CRIMES COMPENSATION TRUST FUND . . .		69,075
FROM OPERATING TRUST FUND		96,438
1280 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	15,529	
FROM CRIMES COMPENSATION TRUST FUND . . .		6,225
1281 EXPENSES		
FROM GENERAL REVENUE FUND	174,301	
FROM CRIMES COMPENSATION TRUST FUND . . .		5,443
1282 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	17,862	
FROM CRIMES COMPENSATION TRUST FUND . . .		6,300
1283 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	5,920	
1284 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	13,585	
1285 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	6,999	
FROM CRIMES COMPENSATION TRUST FUND . . .		2,260
FROM GRANTS AND DONATIONS TRUST FUND . . .		9
FROM OPERATING TRUST FUND		463
TOTAL: CONSTITUTIONAL LEGAL SERVICES		
FROM GENERAL REVENUE FUND	2,171,040	
FROM TRUST FUNDS		186,213
TOTAL POSITIONS	24.50	
TOTAL ALL FUNDS		2,357,253

CRIMINAL AND CIVIL LITIGATION DEFENSE

APPROVED SALARY RATE 19,355,946

1286 SALARIES AND BENEFITS POSITIONS	366.50	
FROM GENERAL REVENUE FUND	9,910,232	
FROM CRIMES COMPENSATION TRUST FUND . . .		429,448
FROM LEGAL SERVICES TRUST FUND		11,650,820
FROM OPERATING TRUST FUND		2,874,000
1287 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	47,977	
FROM LEGAL SERVICES TRUST FUND		1,436,161
1288 EXPENSES		
FROM GENERAL REVENUE FUND	1,402,845	
FROM CRIMES COMPENSATION TRUST FUND . . .		44,508
FROM LEGAL SERVICES TRUST FUND		2,315,081
FROM OPERATING TRUST FUND		40,055

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1289 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 195,190
FROM LEGAL SERVICES TRUST FUND 362,691

1290 LUMP SUM
ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS
POSITIONS 50.00

The positions in Specific Appropriation 1290 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.

1291 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 108,717
FROM LEGAL SERVICES TRUST FUND 673,819

1292 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM LEGAL SERVICES TRUST FUND 46,500

1293 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 96,483
FROM LEGAL SERVICES TRUST FUND 79,675

1294 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 77,137
FROM LEGAL SERVICES TRUST FUND 69,408

1295 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM LEGAL SERVICES TRUST FUND 30,972

TOTAL: CRIMINAL AND CIVIL LITIGATION DEFENSE
FROM GENERAL REVENUE FUND 11,838,581
FROM TRUST FUNDS 20,053,138

TOTAL POSITIONS 416.50
TOTAL ALL FUNDS 31,891,719

VICTIM SERVICES

APPROVED SALARY RATE 3,820,521

1296 SALARIES AND BENEFITS POSITIONS 89.00
FROM GENERAL REVENUE FUND 314
FROM CRIMES COMPENSATION TRUST FUND . . . 4,662,233
FROM CRIME STOPPERS TRUST FUND 87,658
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 316,074

1297 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

1298 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

1299 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

SECTION 4
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1300 SPECIAL CATEGORIES
AWARDS TO CLAIMANTS
FROM CRIMES COMPENSATION TRUST FUND . . . 24,792,082
FROM FEDERAL GRANTS TRUST FUND 4,866,000

From the funds in Specific Appropriation 1300, the Attorney General is directed to give priority to the payment of claims for forensic examinations for victims of sexual assault.

1301 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,959,604
FROM CRIMES COMPENSATION TRUST FUND . . . 506,834
FROM FEDERAL GRANTS TRUST FUND 30,000
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 108,408

From the funds in Specific Appropriation 1301, the non-recurring sum of $400,000 from the Crimes Compensation Trust Fund is provided to the Florida Council Against Sexual Violence for distribution to certified rape crisis centers to provide increased services statewide for victims of sexual assault.

1302 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY COMMUNITIES CRIME PREVENTION PROGRAMS
FROM GENERAL REVENUE FUND 4,572,000

1303 SPECIAL CATEGORIES
GRANTS AND AIDS - CRIME STOPPERS
FROM CRIME STOPPERS TRUST FUND 4,500,000

1304 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CRIMES COMPENSATION TRUST FUND . . . 45,625
FROM CRIME STOPPERS TRUST FUND 1,025
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 1,538

1305 SPECIAL CATEGORIES
GRANTS AND AIDS - VICTIM ASSISTANCE SERVICES
FROM FEDERAL GRANTS TRUST FUND 25,000,000

1306 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 6,531,918
FROM TRUST FUNDS 66,323,610

TOTAL POSITIONS 89.00
TOTAL ALL FUNDS 72,855,528

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,644,226

1307 SALARIES AND BENEFITS POSITIONS 139.00
FROM GENERAL REVENUE FUND 5,346,199
FROM ADMINISTRATIVE TRUST FUND 3,421,621
FROM CRIMES COMPENSATION TRUST FUND . . . 199,587
FROM LEGAL SERVICES TRUST FUND 50,000

1308 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 140,826

SECTION 4
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1309 EXPENSES
FROM GENERAL REVENUE FUND 306,157
FROM ADMINISTRATIVE TRUST FUND 958,004
FROM CRIMES COMPENSATION TRUST FUND . . . 11,217

1310 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 94,232
FROM ADMINISTRATIVE TRUST FUND 472,801

1311 SPECIAL CATEGORIES
ATTORNEY GENERAL'S LAW LIBRARY
FROM GENERAL REVENUE FUND 294,459

1312 SPECIAL CATEGORIES
COMMISSION ON THE STATUS OF WOMEN
FROM GENERAL REVENUE FUND 110,238

1313 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 130,763
FROM ADMINISTRATIVE TRUST FUND 55,268
FROM CRIMES COMPENSATION TRUST FUND . . . 50,000

From the funds in Specific Appropriation 1313, $50,000 from the Crimes Compensation Trust Fund is provided for the Cuban American Bar Association Pro Bono Project.

1314 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,460
FROM ADMINISTRATIVE TRUST FUND 28,195

1315 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

1316 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 141,086
FROM ADMINISTRATIVE TRUST FUND 157,876

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 6,518,915
FROM TRUST FUNDS 5,560,752

TOTAL POSITIONS 139.00
TOTAL ALL FUNDS 12,079,667

PROGRAM: OFFICE OF STATEWIDE PROSECUTION

PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME

APPROVED SALARY RATE 4,379,141

1317 SALARIES AND BENEFITS POSITIONS 69.50
FROM GENERAL REVENUE FUND 4,352,192
FROM CRIMES COMPENSATION TRUST FUND . . . 176,511
FROM FEDERAL GRANTS TRUST FUND 299,771
FROM OPERATING TRUST FUND 750,137

1318 SPECIAL CATEGORIES
STATEWIDE PROSECUTION
FROM GENERAL REVENUE FUND 854,061
FROM CRIMES COMPENSATION TRUST FUND . . . 26,415
FROM FEDERAL GRANTS TRUST FUND 39,602
FROM OPERATING TRUST FUND 367,371

1319 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 36,404

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FROM FEDERAL GRANTS TRUST FUND 1,538
FROM OPERATING TRUST FUND 1,025

1320 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,653
FROM CRIMES COMPENSATION TRUST FUND . . . 6,600
FROM GRANTS AND DONATIONS TRUST FUND . . . 47
FROM OPERATING TRUST FUND 2,280

TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME
FROM GENERAL REVENUE FUND 5,262,310
FROM TRUST FUNDS 1,671,297

TOTAL POSITIONS 69.50
TOTAL ALL FUNDS 6,933,607

PROGRAM: FLORIDA ELECTIONS COMMISSION

CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT

APPROVED SALARY RATE 710,318

1321 SALARIES AND BENEFITS POSITIONS 14.00
FROM ELECTIONS COMMISSION TRUST FUND . . . 943,131

1322 OTHER PERSONAL SERVICES
FROM ELECTIONS COMMISSION TRUST FUND . . . 76,354

1323 EXPENSES
FROM ELECTIONS COMMISSION TRUST FUND . . . 232,821

1324 OPERATING CAPITAL OUTLAY
FROM ELECTIONS COMMISSION TRUST FUND . . . 10,000

1325 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM ELECTIONS COMMISSION TRUST FUND . . . 22,519

1326 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ELECTIONS COMMISSION TRUST FUND . . . 13,348

1327 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ELECTIONS COMMISSION TRUST FUND . . . 7,690

1328 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 1,312,212

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 1,312,212

PAROLE COMMISSION

PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS

APPROVED SALARY RATE 5,483,470

1329 SALARIES AND BENEFITS POSITIONS 131.00
FROM GENERAL REVENUE FUND 6,995,824

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1330 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 77,514

1331 EXPENSES
FROM GENERAL REVENUE FUND 879,935

From the funds in Specific Appropriation 1331, 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, 2008:

1. A valid determination of the exact number of pending Restoration of Civil Rights (RCR) cases existing on July 1, 2008, 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.

1332 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 16,771

1333 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 65,431

1334 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 61,175

1335 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 47,924

TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS
FROM GENERAL REVENUE FUND 8,144,574

TOTAL POSITIONS 131.00
TOTAL ALL FUNDS 8,144,574

TOTAL OF SECTION 4 POSITIONS 47,812.75

FROM GENERAL REVENUE FUND 3865,510,991

FROM TRUST FUNDS 660,364,748

TOTAL ALL FUNDS 4525,875,739

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.

SECTION 5
SPECIFIC
APPROPRIATION

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

APPROVED SALARY RATE 2,297,181

1336 SALARIES AND BENEFITS POSITIONS 40.50
FROM GENERAL REVENUE FUND 2,877,727
FROM CITRUS INSPECTION TRUST FUND 305,551
FROM GENERAL INSPECTION TRUST FUND 62,013

1337 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000

1338 EXPENSES
FROM GENERAL REVENUE FUND 483,736
FROM FEDERAL GRANTS TRUST FUND 60,000
FROM GENERAL INSPECTION TRUST FUND 27,868

1339 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,028
FROM FEDERAL GRANTS TRUST FUND 340,000

1340 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 105,822

1341 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

1342 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 3,536,534
FROM TRUST FUNDS 802,616

TOTAL POSITIONS 40.50
TOTAL ALL FUNDS 4,339,150

AGRICULTURAL WATER POLICY COORDINATION

APPROVED SALARY RATE 2,006,174

1343 SALARIES AND BENEFITS POSITIONS 37.00
FROM GENERAL INSPECTION TRUST FUND 2,458,140

1344 EXPENSES
FROM GENERAL INSPECTION TRUST FUND 399,234

1345 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SOIL AND WATER COST SHARING PROGRAM
FROM GENERAL INSPECTION TRUST FUND 500,000

1346 SPECIAL CATEGORIES
ANIMAL WASTE MANAGEMENT
FROM GENERAL INSPECTION TRUST FUND 200,000

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1347 SPECIAL CATEGORIES
NITRATE RESEARCH AND REMEDIATION
FROM GENERAL INSPECTION TRUST FUND 930,000

1348 SPECIAL CATEGORIES
BEST MANAGEMENT PRACTICES - COST SHARE
FROM GENERAL REVENUE FUND 2,000,000
FROM GENERAL INSPECTION TRUST FUND 9,266,392

From the funds in Specific Appropriation 1348, $2,000,000 from non-recurring general revenue funds is provided for the Florida Water Quality Compliance and Improvement Best Management Practices pilot project to evaluate a real-time radio frequency identification network using self contained, high resolution remote capabilities to monitor weather, hydrologic, and water quality parameters at locations designated by the Department of Agriculture and Consumer Services within priority watersheds. The pilot project shall evaluate the use of this technology to augment and improve existing efforts that monitor weather, hydrologic, and water quality parameters that support implementation, performance, evaluation, or development of new or improved agricultural best management practices. Data collected from this project will be evaluated and compared to traditionally collected data sets for accuracy, transferability, storage, and retrieval.

1349 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 2,000,000
FROM TRUST FUNDS 13,767,408

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 15,767,408

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,756,031

1350 SALARIES AND BENEFITS POSITIONS 188.75
FROM GENERAL REVENUE FUND 7,890,721
FROM ADMINISTRATIVE TRUST FUND 4,582,435
FROM FEDERAL GRANTS TRUST FUND 3,499
FROM GENERAL INSPECTION TRUST FUND 59,306
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 254,400

1351 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 73,463
FROM ADMINISTRATIVE TRUST FUND 10,352

1352 EXPENSES
FROM GENERAL REVENUE FUND 477,665
FROM ADMINISTRATIVE TRUST FUND 1,435,508
FROM GENERAL INSPECTION TRUST FUND 158,231
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 30,650

1353 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 14,458

1355 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 19,881
FROM ADMINISTRATIVE TRUST FUND 50,178

1356 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,000
FROM ADMINISTRATIVE TRUST FUND 618,000

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1357 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 78,006
FROM ADMINISTRATIVE TRUST FUND 32,206

1358 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 4,000

1359 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 8,604,851
FROM TRUST FUNDS 7,260,719

TOTAL POSITIONS 188.75
TOTAL ALL FUNDS 15,865,570

DIVISION OF LICENSING

APPROVED SALARY RATE 5,144,179

1360 SALARIES AND BENEFITS POSITIONS 142.00
FROM DIVISION OF LICENSING TRUST FUND . . 6,855,462

1361 OTHER PERSONAL SERVICES
FROM DIVISION OF LICENSING TRUST FUND . . 292,232

1362 EXPENSES
FROM DIVISION OF LICENSING TRUST FUND . . 2,668,879

1363 OPERATING CAPITAL OUTLAY
FROM DIVISION OF LICENSING TRUST FUND . . 396,918

1364 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF LICENSING TRUST FUND . . 3,168,357

1365 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF LICENSING TRUST FUND . . 61,865

1366 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF LICENSING TRUST FUND . . 53,862

TOTAL: DIVISION OF LICENSING
FROM TRUST FUNDS 13,497,575

TOTAL POSITIONS 142.00
TOTAL ALL FUNDS 13,497,575

PROGRAM: FOREST AND RESOURCE PROTECTION

LAND MANAGEMENT

APPROVED SALARY RATE 18,505,543

1367 SALARIES AND BENEFITS POSITIONS 519.00
FROM GENERAL REVENUE FUND 8,326,842
FROM FEDERAL GRANTS TRUST FUND 1,067,436
FROM GENERAL INSPECTION TRUST FUND 200,000

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FROM INCIDENTAL TRUST FUND		3,338,300
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		11,502,513
1368 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		643,654
FROM INCIDENTAL TRUST FUND		375,769
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		800,000
1369 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		5,094,105
1370 AID TO LOCAL GOVERNMENTS AMERICA THE BEAUTIFUL PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		1,747,538
1371 AID TO LOCAL GOVERNMENTS STATE FOREST RECEIPT DISTRIBUTION		
FROM INCIDENTAL TRUST FUND		995,000
1372 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	13,825	
FROM FEDERAL GRANTS TRUST FUND		159,150
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		286,000
1373 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		300,000
1374 SPECIAL CATEGORIES PRIVATE LAND OWNER COST SHARE ASSISTANCE PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		600,000
1375 SPECIAL CATEGORIES OFF-HIGHWAY VEHICLE RECREATION PROGRAM		
FROM INCIDENTAL TRUST FUND		700,000
1376 SPECIAL CATEGORIES 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		1,935,972
1377 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	100,619	
FROM INCIDENTAL TRUST FUND		28,268
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		150,000
1378 SPECIAL CATEGORIES INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,354,064
1379 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	87,730	

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FROM FEDERAL GRANTS TRUST FUND		8,635
FROM INCIDENTAL TRUST FUND		14,989
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		89,647
1380 FIXED CAPITAL OUTLAY LAND ACQUISITION		
FROM FLORIDA FOREVER PROGRAM TRUST FUND .		4,500,000
1380A FIXED CAPITAL OUTLAY LAND ACQUISITION AND DEVELOPMENT - OFF-HIGHWAY VEHICLE PROGRAM		
FROM INCIDENTAL TRUST FUND		1,400,000
1381 FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		600,000
TOTAL: LAND MANAGEMENT		
FROM GENERAL REVENUE FUND	8,529,016	
FROM TRUST FUNDS		43,244,211
TOTAL POSITIONS	519.00	
TOTAL ALL FUNDS		51,773,227

WILDFIRE PREVENTION AND MANAGEMENT

APPROVED SALARY RATE 25,547,053		
1382 SALARIES AND BENEFITS POSITIONS 737.50		
FROM GENERAL REVENUE FUND	35,145,163	
FROM FEDERAL GRANTS TRUST FUND		1,299,860
FROM INCIDENTAL TRUST FUND		1,236,959

Of the funds in Specific Appropriation 1382, $871,257 from the Incidental Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the annual countywide fire control assessment, becoming a law.

1383 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	576,742	
FROM FEDERAL GRANTS TRUST FUND		277,349
FROM INCIDENTAL TRUST FUND		25,000
1384 EXPENSES		
FROM GENERAL REVENUE FUND	3,342,649	
FROM FEDERAL GRANTS TRUST FUND		2,192,800
FROM INCIDENTAL TRUST FUND		2,281,418
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,006,707
1385 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - VOLUNTEER FIRE ASSISTANCE		
FROM FEDERAL GRANTS TRUST FUND		215,763
1386 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - RURAL COMMUNITY FIRE PROTECTION		
FROM FEDERAL GRANTS TRUST FUND		72,589
1387 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	74,425	
FROM FEDERAL GRANTS TRUST FUND		1,443,182
1388 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND		125,000
1389 SPECIAL CATEGORIES FORESTRY WILDFIRE PROTECTION/SUPPRESSION		

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EQUIPMENT
FROM GENERAL REVENUE FUND 2,000,000
FROM FEDERAL GRANTS TRUST FUND 400,000
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 2,946,134
FROM INCIDENTAL TRUST FUND 3,101,541

Of the funds in Specific Appropriation 1389, $946,134 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1390 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 133,794
FROM FEDERAL GRANTS TRUST FUND 2,207,078
FROM INCIDENTAL TRUST FUND 123,756
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 34,468

1391 SPECIAL CATEGORIES
ON-CALL FEES
FROM GENERAL REVENUE FUND 333,296
FROM INCIDENTAL TRUST FUND 10,000

1392 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 905,557
FROM INCIDENTAL TRUST FUND 104,416

1393 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

1393A FIXED CAPITAL OUTLAY
REPLACE FORESTRY STATIONS - STATEWIDE
FROM RELOCATION AND CONSTRUCTION TRUST FUND 1,200,000

TOTAL: WILDFIRE PREVENTION AND MANAGEMENT
FROM GENERAL REVENUE FUND 42,778,635
FROM TRUST FUNDS 20,327,364

TOTAL POSITIONS 737.50
TOTAL ALL FUNDS 63,105,999

PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,316,801

1394 SALARIES AND BENEFITS POSITIONS 45.00
FROM GENERAL REVENUE FUND 1,240,527
FROM GENERAL INSPECTION TRUST FUND 1,731,430

1395 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 137,348

1396 EXPENSES
FROM GENERAL REVENUE FUND 826,490
FROM DIVISION OF LICENSING TRUST FUND . . 116,125
FROM GENERAL INSPECTION TRUST FUND 2,166,225

1397 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND 157,850

1398 SPECIAL CATEGORIES
CONTRACTED SERVICES

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FROM GENERAL REVENUE FUND 497,334
FROM GENERAL INSPECTION TRUST FUND 372,815

1399 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 2,708,889
FROM TRUST FUNDS 4,554,480

TOTAL POSITIONS 45.00
TOTAL ALL FUNDS 7,263,369

PROGRAM: FOOD SAFETY AND QUALITY

DAIRY FACILITIES COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 1,012,573

1400 SALARIES AND BENEFITS POSITIONS 25.00
FROM GENERAL REVENUE FUND 1,411,774

1401 EXPENSES
FROM GENERAL REVENUE FUND 230,133
FROM GENERAL INSPECTION TRUST FUND 24,141

1402 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,500

1403 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 26,000

1404 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,012

1405 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 1,693,636
FROM TRUST FUNDS 24,141

TOTAL POSITIONS 25.00
TOTAL ALL FUNDS 1,717,777

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 11,511,837

1406 SALARIES AND BENEFITS POSITIONS 293.00
FROM GENERAL REVENUE FUND 1,156,296
FROM FEDERAL GRANTS TRUST FUND 1,208,063
FROM GENERAL INSPECTION TRUST FUND 12,980,588

Of the funds in Specific Appropriation 1406, $400,000 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the food permit application fee, becoming a law.

1407 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 128,441
FROM GENERAL INSPECTION TRUST FUND 213,000

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1408 EXPENSES
FROM GENERAL REVENUE FUND 257,724
FROM FEDERAL GRANTS TRUST FUND 457,851
FROM GENERAL INSPECTION TRUST FUND 1,575,725

1409 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 30,888
FROM FEDERAL GRANTS TRUST FUND 193,875
FROM GENERAL INSPECTION TRUST FUND 60,813

1410 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 122,500
FROM FEDERAL GRANTS TRUST FUND 175,000
FROM GENERAL INSPECTION TRUST FUND 237,500

1411 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 43,605
FROM FEDERAL GRANTS TRUST FUND 2,940
FROM GENERAL INSPECTION TRUST FUND 66,399

1412 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 11,219
FROM FEDERAL GRANTS TRUST FUND 4,740
FROM GENERAL INSPECTION TRUST FUND 93,185

TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT
FROM GENERAL REVENUE FUND 1,622,232
FROM TRUST FUNDS 17,398,120

TOTAL POSITIONS 293.00
TOTAL ALL FUNDS 19,020,352

PROGRAM: CONSUMER PROTECTION

AGRICULTURAL ENVIRONMENTAL SERVICES

APPROVED SALARY RATE 8,467,745

1413 SALARIES AND BENEFITS POSITIONS 211.00
FROM GENERAL REVENUE FUND 2,012,463
FROM FEDERAL GRANTS TRUST FUND 312,504
FROM GENERAL INSPECTION TRUST FUND 6,298,435
FROM PEST CONTROL TRUST FUND 2,855,302

Of the funds in Specific Appropriation 1413, $800,000 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to fees for registration of pesticides, fertilizer inspections, or registration of commercial feed distributors, becoming a law.

1414 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 100
FROM FEDERAL GRANTS TRUST FUND 70,000
FROM PEST CONTROL TRUST FUND 21,530

1415 EXPENSES
FROM GENERAL REVENUE FUND 734,606
FROM FEDERAL GRANTS TRUST FUND 282,295
FROM GENERAL INSPECTION TRUST FUND 578,096
FROM PEST CONTROL TRUST FUND 376,076

1416 AID TO LOCAL GOVERNMENTS
MOSQUITO CONTROL PROGRAM
FROM GENERAL INSPECTION TRUST FUND 2,166,168

From the funds provided in Specific Appropriation 1416, $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.

1417 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 6,052
FROM FEDERAL GRANTS TRUST FUND 51,000

1418 SPECIAL CATEGORIES
PESTICIDE COLLECTIONS
FROM GENERAL INSPECTION TRUST FUND 100,000

1419 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 111,851
FROM FEDERAL GRANTS TRUST FUND 338,890
FROM GENERAL INSPECTION TRUST FUND 125,124
FROM PEST CONTROL TRUST FUND 106,425

From the funds in Specific Appropriation 1419, the Department of Agriculture and Consumer Services in conjunction with the Office of Insurance Regulation may establish a statewide internet portal and consumer call line to provide the general public transparent data on the value of their insurance assets.

1420 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 93,968

1421 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 2,981,913
FROM TRUST FUNDS 13,741,439

TOTAL POSITIONS 211.00
TOTAL ALL FUNDS 16,723,352

CONSUMER PROTECTION

APPROVED SALARY RATE 4,633,374

1422 SALARIES AND BENEFITS POSITIONS 130.00
FROM GENERAL REVENUE FUND 78,962
FROM GENERAL INSPECTION TRUST FUND 5,951,809

Of the funds in Specific Appropriation 1422, $203,446 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for independent travel agents, becoming a law.

1423 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,216
FROM GENERAL INSPECTION TRUST FUND 38,513

1424 EXPENSES
FROM GENERAL REVENUE FUND 97,177
FROM FEDERAL GRANTS TRUST FUND 8,518
FROM GENERAL INSPECTION TRUST FUND 1,122,878

1425 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 12,142
FROM GENERAL INSPECTION TRUST FUND 20,500

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1426 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,264
FROM GENERAL INSPECTION TRUST FUND 91,500

Of the funds in Specific Appropriation 1426, $91,500 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for independent travel agents, becoming a law.

1427 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND 48,681

Of the funds in Specific Appropriation 1427, $5,054 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for independent travel agents, becoming a law.

TOTAL: CONSUMER PROTECTION
FROM GENERAL REVENUE FUND 215,761
FROM TRUST FUNDS 7,282,399

TOTAL POSITIONS 130.00
TOTAL ALL FUNDS 7,498,160

STANDARDS AND PETROLEUM QUALITY INSPECTION

APPROVED SALARY RATE 6,542,405

1428 SALARIES AND BENEFITS POSITIONS 185.00
FROM GENERAL REVENUE FUND 1,692,707
FROM GENERAL INSPECTION TRUST FUND 7,219,532

1429 OTHER PERSONAL SERVICES
FROM GENERAL INSPECTION TRUST FUND 59,572

1430 EXPENSES
FROM GENERAL REVENUE FUND 277,986
FROM GENERAL INSPECTION TRUST FUND 1,552,928

1431 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND 1,750

1432 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 15,000
FROM GENERAL INSPECTION TRUST FUND 575,000

1433 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,077
FROM GENERAL INSPECTION TRUST FUND 123,587

1434 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,525
FROM GENERAL INSPECTION TRUST FUND 55,255

TOTAL: STANDARDS AND PETROLEUM QUALITY INSPECTION
FROM GENERAL REVENUE FUND 2,013,295
FROM TRUST FUNDS 9,587,624

TOTAL POSITIONS 185.00
TOTAL ALL FUNDS 11,600,919

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PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 6,879,472

1435 SALARIES AND BENEFITS POSITIONS 201.00
FROM CITRUS INSPECTION TRUST FUND 6,811,535
FROM GENERAL INSPECTION TRUST FUND 2,698,937

1436 OTHER PERSONAL SERVICES
FROM CITRUS INSPECTION TRUST FUND 678,425
FROM GENERAL INSPECTION TRUST FUND 500,000

1437 EXPENSES
FROM CITRUS INSPECTION TRUST FUND 1,124,913
FROM GENERAL INSPECTION TRUST FUND 522,171

1438 OPERATING CAPITAL OUTLAY
FROM CITRUS INSPECTION TRUST FUND 33,710

1439 SPECIAL CATEGORIES
AUTOMATED TESTING EQUIPMENT
FROM CITRUS INSPECTION TRUST FUND 216,041

1440 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS INSPECTION TRUST FUND 98,428
FROM GENERAL INSPECTION TRUST FUND 39,462

1441 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS INSPECTION TRUST FUND 359,809
FROM GENERAL INSPECTION TRUST FUND 41,657

1442 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 13,232,751

TOTAL POSITIONS 201.00
TOTAL ALL FUNDS 13,232,751

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 6,917,376

1443 SALARIES AND BENEFITS POSITIONS 191.00
FROM GENERAL REVENUE FUND 2,668,627
FROM CITRUS INSPECTION TRUST FUND 1,330,286
FROM FEDERAL GRANTS TRUST FUND 396,011
FROM GENERAL INSPECTION TRUST FUND 1,733,803
FROM MARKET IMPROVEMENTS WORKING CAPITAL
TRUST FUND 2,484,917
FROM SALTWATER PRODUCTS PROMOTION TRUST
FUND 773,638
FROM FLORIDA AGRICULTURAL PROMOTION
CAMPAIGN TRUST FUND 42,259

Of the funds in Specific Appropriation 1443, $312,925 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the annual license tax imposed on wholesale and retail saltwater products dealers, becoming a law.

1444 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000
FROM CITRUS INSPECTION TRUST FUND 222,672

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FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		160,000
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		27,500
1445 EXPENSES		
FROM GENERAL REVENUE FUND	384,733	
FROM CITRUS INSPECTION TRUST FUND		323,828
FROM FEDERAL GRANTS TRUST FUND		1,780,450
FROM GENERAL INSPECTION TRUST FUND		883,479
FROM MARKET TRADE SHOW TRUST FUND		105,836
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		884,079
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		339,611
FROM VITICULTURE TRUST FUND		9,580
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND		126,691
1446 OPERATING CAPITAL OUTLAY		
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		10,500
1447 SPECIAL CATEGORIES		
GRANTS AND AIDS - VITICULTURE PROGRAM		
FROM VITICULTURE TRUST FUND		500,000
1448 SPECIAL CATEGORIES		
FLORIDA AGRICULTURE PROMOTION CAMPAIGN		
FROM GENERAL REVENUE FUND	1,740,000	
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		2,100,000

Of the funds in Specific Appropriation 1448, $2,100,000 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1449 SPECIAL CATEGORIES		
FEDERAL SUPPORT FOR FLORIDA AGRICULTURE PROMOTIONS		
FROM FEDERAL GRANTS TRUST FUND		1,000,000
1449A SPECIAL CATEGORIES		
SUPPORT FOR FOOD BANK		
FROM GENERAL INSPECTION TRUST FUND		200,000

Funds in Specific Appropriation 1449A are provided for the Florida Association of Food Banks.

1450 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
1451 SPECIAL CATEGORIES		
GRANTS AND AIDS - MARKETING ORDERS		
FROM CITRUS INSPECTION TRUST FUND		2,383,077
FROM GENERAL INSPECTION TRUST FUND		475,082
1451A SPECIAL CATEGORIES		
AGRICULTURAL RESEARCH		
FROM GENERAL REVENUE FUND	2,000,000	

Funds in Specific Appropriation 1451A shall be used by the Department of Agriculture and Consumer Services to conduct or cause to be conducted those research projects on citrus disease that are recommended by the Florida Citrus Production Research Advisory Council. 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 1451A allocated to a particular project exceed the private, federal, and citrus box tax funds provided for that project.

1451B SPECIAL CATEGORIES		
FARM SHARE PROGRAM		
FROM GENERAL INSPECTION TRUST FUND		200,000
1452 SPECIAL CATEGORIES		
GRANTS AND AIDS - PROMOTIONAL AWARDS		
FROM GENERAL INSPECTION TRUST FUND		300,000
1453 SPECIAL CATEGORIES		
GRANTS AND AIDS - EMERGENCY FEEDING ORGANIZATIONS		
FROM FEDERAL GRANTS TRUST FUND		2,834,237
1454 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	25,018	
FROM CITRUS INSPECTION TRUST FUND		8,028
FROM FEDERAL GRANTS TRUST FUND		6,538
FROM GENERAL INSPECTION TRUST FUND		13,893
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		29,652
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		8,225
1455 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
1456A FIXED CAPITAL OUTLAY		
MAINTENANCE AND REPAIRS STATE FARMERS' MARKETS - STATEWIDE		
FROM GENERAL INSPECTION TRUST FUND		220,500
1456B FIXED CAPITAL OUTLAY		
CODE AND LIFE SAFETY - STATE FARMERS' MARKETS - STATEWIDE		
FROM GENERAL INSPECTION TRUST FUND		206,700
TOTAL: AGRICULTURAL PRODUCTS MARKETING		
FROM GENERAL REVENUE FUND	6,871,942	
FROM TRUST FUNDS		22,653,925
TOTAL POSITIONS	191.00	
TOTAL ALL FUNDS		29,525,867

AQUACULTURE

APPROVED SALARY RATE	2,110,256		
1458 SALARIES AND BENEFITS	POSITIONS	52.50	
FROM GENERAL REVENUE FUND		2,201,104	
FROM GENERAL INSPECTION TRUST FUND			678,634

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Of the funds in Specific Appropriation 1458, $49,000 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for aquaculture certification, becoming a law.

1459	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	30,000	
	FROM FEDERAL GRANTS TRUST FUND		16,700
	FROM GENERAL INSPECTION TRUST FUND		30,532
1460	EXPENSES		
	FROM GENERAL REVENUE FUND	502,156	
	FROM FEDERAL GRANTS TRUST FUND		9,000
	FROM GENERAL INSPECTION TRUST FUND		285,966
1461	OPERATING CAPITAL OUTLAY		
	FROM GENERAL INSPECTION TRUST FUND		50,400
1462	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL INSPECTION TRUST FUND		85,000
1463	SPECIAL CATEGORIES		
	OYSTER PLANTING		
	FROM GENERAL REVENUE FUND	850,201	
	FROM FEDERAL GRANTS TRUST FUND		950,000
1464	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	12,563	
	FROM GENERAL INSPECTION TRUST FUND		1,845
1464A	SPECIAL CATEGORIES		
	AQUACULTURE DEVELOPMENT		
	FROM GENERAL REVENUE FUND	3,667,407	
1465	SPECIAL CATEGORIES		
	AQUACULTURE PROGRAM GRANTS		
	FROM FEDERAL GRANTS TRUST FUND		350,000
1466	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
1467	SPECIAL CATEGORIES		
	GRANTS AND AIDS - 2004 HURRICANES - STATE OPERATIONS		
	FROM FEDERAL GRANTS TRUST FUND		330,000
TOTAL:	AQUACULTURE		
	FROM GENERAL REVENUE FUND	7,279,076	
	FROM TRUST FUNDS		2,792,454
	TOTAL POSITIONS	52.50	
	TOTAL ALL FUNDS		10,071,530

AGRICULTURAL INTERDICTION STATIONS

APPROVED SALARY RATE 9,724,026

1468	SALARIES AND BENEFITS POSITIONS	236.00	
	FROM GENERAL REVENUE FUND	13,236,073	
	FROM GENERAL INSPECTION TRUST FUND		124,486
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		300,000

Of the funds in Specific Appropriation 1468, $300,000 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

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1469	EXPENSES		
	FROM GENERAL REVENUE FUND	717,862	
	FROM CITRUS INSPECTION TRUST FUND		36,718
	FROM GENERAL INSPECTION TRUST FUND		49,022
1470	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	22,990	
1471	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	123,380	
1472	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	156,473	
1473	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	78,015	
	FROM AGRICULTURAL LAW ENFORCEMENT TRUST FUND		18,428
1474	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
TOTAL:	AGRICULTURAL INTERDICTION STATIONS		
	FROM GENERAL REVENUE FUND	14,422,388	
	FROM TRUST FUNDS		529,186
	TOTAL POSITIONS	236.00	
	TOTAL ALL FUNDS		14,951,574

ANIMAL PEST AND DISEASE CONTROL

APPROVED SALARY RATE 5,875,910

1475	SALARIES AND BENEFITS POSITIONS	144.50	
	FROM GENERAL REVENUE FUND	6,393,588	
	FROM FEDERAL GRANTS TRUST FUND		383,394
	FROM GENERAL INSPECTION TRUST FUND		492,490
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		418,458

Of the funds in Specific Appropriation 1475, $418,458 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1476	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	11,866	
	FROM FEDERAL GRANTS TRUST FUND		395,703
	FROM GENERAL INSPECTION TRUST FUND		61,642
1477	EXPENSES		
	FROM GENERAL REVENUE FUND	417,773	
	FROM FEDERAL GRANTS TRUST FUND		967,670
	FROM GENERAL INSPECTION TRUST FUND		373,018
1478	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	203,797	
1479	SPECIAL CATEGORIES		
	ANIMAL PEST AND DISEASE CONTROL		
	FROM FEDERAL GRANTS TRUST FUND		1,000,000
1480	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL INSPECTION TRUST FUND		300,373

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1481 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 115,048
FROM FEDERAL GRANTS TRUST FUND 45

1482 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

1483 FIXED CAPITAL OUTLAY
CONSTRUCTION - ADDITIONS KISSIMMEE DIAGNOSTIC LAB
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 3,388,150

TOTAL: ANIMAL PEST AND DISEASE CONTROL
FROM GENERAL REVENUE FUND 7,192,534
FROM TRUST FUNDS 7,787,088

TOTAL POSITIONS 144.50
TOTAL ALL FUNDS 14,979,622

PLANT PEST AND DISEASE CONTROL

APPROVED SALARY RATE 13,542,890

1484 SALARIES AND BENEFITS POSITIONS 375.00
FROM GENERAL REVENUE FUND 9,962,961
FROM CITRUS INSPECTION TRUST FUND 829,006
FROM FEDERAL GRANTS TRUST FUND 3,249,185
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 1,743,296
FROM PLANT INDUSTRY TRUST FUND 2,731,957

Of the funds in Specific Appropriation 1484, $1,743,296 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1485 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 47,200
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

Of the funds in Specific Appropriation 1485, $19,817 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1486 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

1487 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 66,195
FROM PLANT INDUSTRY TRUST FUND 51,525

1488 SPECIAL CATEGORIES
AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM)
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 1,002,374

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1489 SPECIAL CATEGORIES
GRANTS AND AIDS - BOLL WEEVIL ERADICATION
FROM PLANT INDUSTRY TRUST FUND 560,000

1490 SPECIAL CATEGORIES
APIARIAN INDEMNITIES
FROM GENERAL REVENUE FUND 36,000

1490A SPECIAL CATEGORIES
ENDANGERED PLANT SPECIES
FROM PLANT INDUSTRY TRUST FUND 250,000

1491 SPECIAL CATEGORIES
CITRUS HEALTH RESPONSE PROGRAM
FROM FEDERAL GRANTS TRUST FUND 5,885,038
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND 2,522,159

1492 SPECIAL CATEGORIES
PLANT PEST AND DISEASE CONTROL
FROM FEDERAL GRANTS TRUST FUND 1,000,000

1493 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 350,000
FROM PLANT INDUSTRY TRUST FUND 118,049

1494 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 882,957
FROM FEDERAL GRANTS TRUST FUND 262,374

1495 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA/ INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FOR INVASIVE EXOTICS QUARANTINE FACILITY
FROM PLANT INDUSTRY TRUST FUND 750,000

1496 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
FROM PLANT INDUSTRY TRUST FUND 39,616

TOTAL: PLANT PEST AND DISEASE CONTROL
FROM GENERAL REVENUE FUND 12,099,960
FROM TRUST FUNDS 24,003,168

TOTAL POSITIONS 375.00
TOTAL ALL FUNDS 36,103,128

COMMUNITY AFFAIRS, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,733,530

1497 SALARIES AND BENEFITS POSITIONS 78.00
FROM GENERAL REVENUE FUND 1,259,315
FROM ADMINISTRATIVE TRUST FUND 3,696,871
FROM GRANTS AND DONATIONS TRUST FUND . . . 154,821

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1498 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 414,768

1499 EXPENSES
FROM GENERAL REVENUE FUND 76,457
FROM ADMINISTRATIVE TRUST FUND 1,202,935
FROM GRANTS AND DONATIONS TRUST FUND . . . 18,392

1500 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 89,864

1501 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 279,732

1502 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 34,379

1503 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 38,674
FROM ADMINISTRATIVE TRUST FUND 77,797
FROM GRANTS AND DONATIONS TRUST FUND . . . 194

1504 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

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 1,669,462
FROM TRUST FUNDS 5,710,881

TOTAL POSITIONS 78.00
TOTAL ALL FUNDS 7,380,343

PROGRAM: COMMUNITY PLANNING

COMMUNITY PLANNING

APPROVED SALARY RATE 2,803,200

1505 SALARIES AND BENEFITS POSITIONS 61.00
FROM GENERAL REVENUE FUND 3,296,902
FROM GRANTS AND DONATIONS TRUST FUND . . . 328,896

1506 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 17,903
FROM GRANTS AND DONATIONS TRUST FUND . . . 264,388
FROM OPERATING TRUST FUND 129,730

1507 EXPENSES
FROM GENERAL REVENUE FUND 388,570
FROM GRANTS AND DONATIONS TRUST FUND . . . 65,500

1508 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,500
FROM GRANTS AND DONATIONS TRUST FUND . . . 500

1509 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 167,001
FROM OPERATING TRUST FUND 232,383

1510 SPECIAL CATEGORIES
CENTURY COMMISSION
FROM GRANTS AND DONATIONS TRUST FUND . . . 250,000

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From the funds in Specific Appropriation 1510, $250,000 in recurring funds in the Grants and Donations Trust Fund are provided for the Century Commission for a Sustainable Florida. These funds are contingent upon and limited to the availability of funds in the Grants and Donations Trust Fund that are specifically transferred into the trust fund by law for the Century Commission.

1511 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL PLANNING COUNCILS
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,420,000

Funds in Specific Appropriation 1511 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.

1512 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 5,297
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,921

1513 SPECIAL CATEGORIES
GRANTS AND AIDS - COASTAL MANAGEMENT REQUIREMENTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 75,000

1514 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,886

1515 SPECIAL CATEGORIES
GRANTS AND AIDS - TECHNICAL AND PLANNING ASSISTANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,079,994

From the funds in Specific Appropriation 1515, the department shall provide technical assistance to the City of North Port in developing a comprehensive plan to address the issues created by the large number of antiquated or platted lots within and adjacent to the city's borders. The plan should address, among other things, ways to implement appropriate growth management strategies in the future development of the lots and methods to alleviate any negative environmental impact potentially caused by lack of sewage lines.

TOTAL: COMMUNITY PLANNING
FROM GENERAL REVENUE FUND 3,904,059
FROM TRUST FUNDS 4,853,312

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 8,757,371

PROGRAM: EMERGENCY MANAGEMENT

PRE-DISASTER MITIGATION

Funds in Specific Appropriations 1516 through 1579 for the Division of Emergency Management (DEM) shall be used in a manner to reduce expenditures for travel and meetings to the greatest extent possible. The division is directed to achieve operational efficiencies by decreasing the number of meetings held; decreasing the number of division staff participating in meetings; and by utilizing alternative meeting methods. The alternative methods may include such things as video teleconferencing, telephone conferencing, and utilization of established centralized government conference facilities. The Division of Emergency Management shall provide quarterly reports to the Executive Office of the Governor, the chairs of the Senate Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council detailing the operational efficiencies achieved.

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APPROVED SALARY RATE 432,215

1516 SALARIES AND BENEFITS POSITIONS 9.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 138,629
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,648
FROM OPERATING TRUST FUND 3,938
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 423,740

1517 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,332

1518 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 12,512
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,367
FROM OPERATING TRUST FUND 4,718
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 49,435

1519 SPECIAL CATEGORIES
GRANTS AND AID - REPETITIVE FLOOD CLAIMS PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 3,000,000

1520 SPECIAL CATEGORIES
GRANTS AND AIDS - SEVERE REPETITIVE LOSS PILOT PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 8,000,000

1521 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,593
FROM OPERATING TRUST FUND 271
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 4,322

1522 SPECIAL CATEGORIES
GRANTS AND AIDS - PREDISASTER MITIGATION
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 3,950,000

Funds in Specific Appropriation 1522 are provided for the pre-disaster mitigation program. The 25 percent match requirement for the federal funds shall be provided by local governments.

1523 SPECIAL CATEGORIES
FLOOD MITIGATION ASSISTANCE PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 3,600,000

1524 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 918
FROM GRANTS AND DONATIONS TRUST FUND . . . 37
FROM OPERATING TRUST FUND 27
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,805

TOTAL: PRE-DISASTER MITIGATION
FROM TRUST FUNDS 19,213,292

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 19,213,292

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EMERGENCY PLANNING

APPROVED SALARY RATE 2,062,410

1525 SALARIES AND BENEFITS POSITIONS 51.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,116,281
FROM GRANTS AND DONATIONS TRUST FUND . . . 708,601
FROM OPERATING TRUST FUND 119,547
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 727,670

1526 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 282,717
FROM GRANTS AND DONATIONS TRUST FUND . . . 362,400
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 645,000

1527 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 572,042
FROM GRANTS AND DONATIONS TRUST FUND . . . 284,645
FROM OPERATING TRUST FUND 2,737
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 333,030

1528 AID TO LOCAL GOVERNMENTS
DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,389,944

1529 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 37,600

1529A LUMP SUM
EMERGENCY MANAGEMENT PERFORMANCE GRANT
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 9,183,531

Funds in Specific Appropriation 1529A are provided for the Emergency Management Performance Grants funded by 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 Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council for review prior to submission to the Federal Emergency Management Agency. Upon approval of the work plan by the Federal Emergency Management Agency, 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 1529A, $250,000 in non-recurring funds from the Federal Emergency Management Programs Support Trust Fund is provided for the Center for Disaster Risk Policy at the Florida State University to establish a pilot program to coordinate and conduct emergency exercises on university campuses. The exercise objectives shall be designed to evaluate campus security and campus emergency coordination with local emergency managers and responders.

From funds in Specific Appropriation 1529A, $250,000 shall be used for a statewide public education program campaign 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.

1530 SPECIAL CATEGORIES
GRANTS AND AIDS - PAYMENT FLORIDA WING/ CIVIL AIR PATROL
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 49,500

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1531 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,103,000

1532 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 7,089,061

1533 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM
FROM GRANTS AND DONATIONS TRUST FUND . . . 25,500,000

1535 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 14,872
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 15,994

1537 SPECIAL CATEGORIES
STATEWIDE HURRICANE PREPAREDNESS AND PLANNING
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,485,541
FROM GRANTS AND DONATIONS TRUST FUND . . . 194,700
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 50,000
FROM U.S. CONTRIBUTIONS TRUST FUND 7,502,857

1538 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 10,015
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,959
FROM OPERATING TRUST FUND 1,114
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 6,780

1539 SPECIAL CATEGORIES
HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

1540A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LOCAL EMERGENCY MANAGEMENT FACILITIES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 5,070,000

Non-recurring funds in the Emergency Management Preparedness and Assistance Trust Fund in Specific Appropriation 1540A shall be allocated as follows:

Regional Hurricane Shelter / Community Health Center - Pasco County..... 2,000,000
Regional Shelter for Developmentally Disabled - Hernando County..... 1,140,000
Place of Hope Seven Stars Emergency Shelter Expansion - Palm Beach County..... 700,000
Emergency Operations Center - Village of Biscayne Park, Miami-Dade County..... 60,000
Post Disaster Relief Control Center-City of Homestead..... 500,000
Emergency Center City of Miami Springs..... 250,000

Non-recurring funds in the amount of $420,000 in the Emergency Management Preparedness and Assistance Trust Fund in Specific Appropriation 1540A are provided for a pilot program in Brevard, Pasco, Polk, and Orange counties for the purpose of deploying unlimited complete, time-sensitive notices quickly and easily to citizens, local emergency management entities, and state and regional entities to warn against disasters and provide community outreach and education notifications. The deployed service shall be able to send targeted broadcast alerts with text and optional radio audio activation to FM/RBDS receiving devices. The FM/RBDS service shall also be able to retrieve and forward 600 character text messages composed in the Common Alerting Protocol 1.1 (CAP), from the National Weather Service (NOAA) and others, to the RBDS receiving devices.

1541 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS
FROM GRANTS AND DONATIONS TRUST FUND . . . 44,804,632
FROM U.S. CONTRIBUTIONS TRUST FUND 5,195,368

Funds in Specific Appropriation 1541 from the Grants and Donations Trust Fund reflect the transfer of $6,421,764 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.557(7)(c), Florida Statutes.

During the 2008-2009 fiscal year, any unobligated cash in the division that is not restricted by federal laws or federal guidelines shall be transferred to the Grants and Donations Trust Fund and shall be used for the installation of generators at designated special needs shelter sites pursuant to chapter 2006-71, Laws of Florida.

The Division of Emergency Management shall immediately notify local emergency management officials of the availability of funds and assist local officials as needed to accomplish installation of emergency power generators. The division, in coordination with the local governments and school boards, shall explore methods to reduce installation costs. This may include cancelling existing contracts, or other contractual obligations held by the state or any of its agencies and entities associated with the installation of the generators and make funds available to local governments and school boards. The division shall report quarterly to the chairs of the Senate Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council on implementation progress.

TOTAL: EMERGENCY PLANNING
FROM TRUST FUNDS 115,365,138

TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 115,365,138

EMERGENCY RECOVERY

The division shall submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the chairs of the Senate Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council.

APPROVED SALARY RATE 1,698,886

1542 SALARIES AND BENEFITS POSITIONS 39.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 502,209
FROM GRANTS AND DONATIONS TRUST FUND . . . 266,454
FROM OPERATING TRUST FUND 3,924
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 371,393
FROM U.S. CONTRIBUTIONS TRUST FUND 1,050,403

1543 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,331
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,100

1544 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS

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AND ASSISTANCE TRUST FUND 21,323
FROM GRANTS AND DONATIONS TRUST FUND . . . 131,348
FROM OPERATING TRUST FUND 4,670
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 41,119
FROM U.S. CONTRIBUTIONS TRUST FUND 199,878

1545 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,133,851
FROM U.S. CONTRIBUTIONS TRUST FUND 18,510,036

1546 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 708,958
FROM U.S. CONTRIBUTIONS TRUST FUND 4,260,150

1547 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES -
PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,354,853
FROM U.S. CONTRIBUTIONS TRUST FUND 185,247,550

1548 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES -
PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 42,665,534

1549 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 343,097
FROM U.S. CONTRIBUTIONS TRUST FUND 2,061,293

1550 SPECIAL CATEGORIES
HAZARD MITIGATION - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 252,316
FROM U.S. CONTRIBUTIONS TRUST FUND 1,515,607

1551 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,440,425
FROM U.S. CONTRIBUTIONS TRUST FUND 20,641,274

1552 SPECIAL CATEGORIES
HAZARD MITIGATION - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 674
FROM U.S. CONTRIBUTIONS TRUST FUND 15,177,028

Funds in Specific Appropriations 1549 through 1552 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 2004. Funds shall be utilized for Public Assistance and Hazard Mitigation programs as specified in section 252.37, Florida Statutes.

1553 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 668,560
FROM U.S. CONTRIBUTIONS TRUST FUND 4,013,612

1554 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES -
PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 40,158,628

1555 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2006-07 HAZARDOUS
WEATHER - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,039
FROM U.S. CONTRIBUTIONS TRUST FUND 132,234

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1556 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2006-07 HAZARDOUS
WEATHER MAJOR DISASTERS - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 1,322,340

Funds in Specific Appropriations 1548, 1552, 1554, and 1556 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.

1557 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 70,173
FROM OPERATING TRUST FUND 4,140
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 66,032

1559 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS
MITIGATION
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,500,000

Funds in Specific Appropriation 1542 in the amount of $61,609; Specific Appropriation 1543 in the amount of $1,100; Specific Appropriation 1544 in the amount of $15,527; and Specific Appropriation 1559 in the amount of $3,500,000, provided from the Grants and Donations Trust Fund, reflect the transfer of $3,578,236 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes.

From the funds in Specific Appropriation 1559, $2,800,000 shall be distributed directly to Tallahassee Community College for the uses set forth in section 215.559(3)(a), Florida Statutes, and $700,000 shall be used for Hurricane and Mitigation Research at Florida International University in section 215.559(4), Florida Statutes.

1560 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 9,657
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,396
FROM OPERATING TRUST FUND 61
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 5,870
FROM U.S. CONTRIBUTIONS TRUST FUND 12,547

1561 SPECIAL CATEGORIES
NON-FEDERAL REIMBURSEABLE DISASTER
ACTIVITIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 64,025

1562 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE
OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 34,305
FROM U.S. CONTRIBUTIONS TRUST FUND 23,072,598

1563 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - PASS
THROUGH OF STATE AND FEDERAL FUNDS TO
LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 227,625
FROM U.S. CONTRIBUTIONS TRUST FUND 230,379,687

1564 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 -
HAZARDOUS WEATHER - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 24,000
FROM U.S. CONTRIBUTIONS TRUST FUND 100,000

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1565 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 - HAZARDOUS WEATHER - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 240,000
FROM U.S. CONTRIBUTIONS TRUST FUND 1,000,000

1566 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2007 - FLORIDA WILDFIRES - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,916,667
FROM U.S. CONTRIBUTIONS TRUST FUND 8,750,000

TOTAL: EMERGENCY RECOVERY
FROM TRUST FUNDS 626,706,994

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 626,706,994

EMERGENCY RESPONSE

APPROVED SALARY RATE 687,051

1567 SALARIES AND BENEFITS POSITIONS 18.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 548,117
FROM GRANTS AND DONATIONS TRUST FUND . . . 90,495
FROM OPERATING TRUST FUND 81,147
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 311,330

1568 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,331

1569 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 14,567
FROM GRANTS AND DONATIONS TRUST FUND . . . 46,302
FROM OPERATING TRUST FUND 13,975
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 228,996

1570 OPERATING CAPITAL OUTLAY
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,872
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,196
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 6,352

1572 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 9,569
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 9,519

1573 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,051
FROM GRANTS AND DONATIONS TRUST FUND . . . 606
FROM OPERATING TRUST FUND 544
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,083

TOTAL: EMERGENCY RESPONSE
FROM TRUST FUNDS 1,377,052

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 1,377,052

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HAZARDOUS MATERIALS COMPLIANCE PLANNING

APPROVED SALARY RATE 906,914

1574 SALARIES AND BENEFITS POSITIONS 21.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 141,251
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,523
FROM OPERATING TRUST FUND 946,503
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 56,078

1575 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 28,559

1576 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 21,992
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,645
FROM OPERATING TRUST FUND 166,513
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 19,841

1577 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 750
FROM OPERATING TRUST FUND 2,840

1578 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 492
FROM GRANTS AND DONATIONS TRUST FUND . . . 57
FROM OPERATING TRUST FUND 6,924
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 409

1579 SPECIAL CATEGORIES
FLORIDA HAZARDOUS MATERIALS PLANNING PROGRAM
FROM OPERATING TRUST FUND 966,597

TOTAL: HAZARDOUS MATERIALS COMPLIANCE PLANNING
FROM TRUST FUNDS 2,381,974

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 2,381,974

PROGRAM: HOUSING AND COMMUNITY DEVELOPMENT

AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT

APPROVED SALARY RATE 1,311,965

1580 SALARIES AND BENEFITS POSITIONS 29.00
FROM GENERAL REVENUE FUND 641,652
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 791,320
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND 93,827
FROM ENERGY CONSUMPTION TRUST FUND 23,095
FROM FLORIDA COMMUNITIES TRUST FUND . . . 6,379
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND 45,654
FROM OPERATING TRUST FUND 150,520

1581 OTHER PERSONAL SERVICES
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 543,206

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1582 EXPENSES
FROM GENERAL REVENUE FUND 77,357
FROM FLORIDA SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 377,464
FROM OPERATING TRUST FUND 27,312

1583 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,000
FROM FLORIDA SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 2,000

1584 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 500
FROM OPERATING TRUST FUND 500

1585 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,527
FROM FLORIDA SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 2,523

1586 SPECIAL CATEGORIES
FRONT PORCH FLORIDA
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,750,000

1587 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,123
FROM FLORIDA SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 3,750
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 641
FROM ENERGY CONSUMPTION TRUST FUND 158
FROM FLORIDA COMMUNITIES TRUST FUND . . . 42
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 312
FROM OPERATING TRUST FUND 1,029

1588 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 . . 35,000,000

TOTAL: AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT
FROM GENERAL REVENUE FUND 728,159
FROM TRUST FUNDS 38,819,732

TOTAL POSITIONS 29.00
TOTAL ALL FUNDS 39,547,891

BUILDING CODE COMPLIANCE AND HAZARD MITIGATION

APPROVED SALARY RATE 763,896

1589 SALARIES AND BENEFITS POSITIONS 17.00
FROM OPERATING TRUST FUND 1,044,278

1590 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 140,000
FROM OPERATING TRUST FUND 1,501,255

1591 EXPENSES
FROM OPERATING TRUST FUND 339,133

1592 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 2,000

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1593 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 1593, this transfer shall be reduced to reflect the amount actually collected.

1594 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 12,165

1595 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 29,908

1596 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 7,137

TOTAL: BUILDING CODE COMPLIANCE AND HAZARD MITIGATION
FROM TRUST FUNDS 3,358,513

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 3,358,513

PUBLIC SERVICE AND ENERGY INITIATIVES

APPROVED SALARY RATE 543,983

1597 SALARIES AND BENEFITS POSITIONS 13.00
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 437,357
FROM ENERGY CONSUMPTION TRUST FUND 185,000
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 199,284

1598 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

1599 EXPENSES
FROM FLORIDA SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 3,056
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

1600 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

1601 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY SERVICES BLOCK
GRANTS
FROM COMMUNITY SERVICES BLOCK GRANT
TRUST FUND 17,876,599

1602 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM LOW INCOME HOME ENERGY ASSISTANCE
PROGRAM BLOCK GRANT TRUST FUND 25,864,000

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1603 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ENERGY CONSUMPTION TRUST FUND 500

1604 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND 2,340

1605 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 300,000

1606 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 1,464
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND 1,219

1606A SPECIAL CATEGORIES
CIVIL LEGAL ASSISTANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000,000

Funds in Specific Appropriation 1606A are provided for the programs established pursuant to sections 68.094 through 68.105, Florida Statutes.

1607 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WEATHERIZATION GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,400,000
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND 3,900,000

TOTAL: PUBLIC SERVICE AND ENERGY INITIATIVES
FROM TRUST FUNDS 52,893,898

TOTAL POSITIONS 13.00
TOTAL ALL FUNDS 52,893,898

LAND ACQUISITION AND ADMINISTRATION

APPROVED SALARY RATE 736,149

1609 SALARIES AND BENEFITS POSITIONS 16.00
FROM FLORIDA COMMUNITIES TRUST FUND . . . 988,252

1610 OTHER PERSONAL SERVICES
FROM FLORIDA COMMUNITIES TRUST FUND . . . 48,000

1611 EXPENSES
FROM FLORIDA COMMUNITIES TRUST FUND . . . 220,186

1612 OPERATING CAPITAL OUTLAY
FROM FLORIDA COMMUNITIES TRUST FUND . . . 2,000

1613 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA COMMUNITIES TRUST FUND . . . 2,313

1614 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FLORIDA COMMUNITIES TRUST FUND . . . 6,879

1615 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER PROGRAM TRUST FUND . 66,000,000

TOTAL: LAND ACQUISITION AND ADMINISTRATION
FROM TRUST FUNDS 67,267,630

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 67,267,630

PROGRAM: FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation is authorized to negotiate any necessary changes to project criteria with any of the housing projects awarded funding under section 420.5095, Florida Statutes, that will improve project viability and expedite project completion. Florida Housing Finance Corporation shall ensure that the project retains, at a minimum, a comparable number of affordable housing units, resident income qualification levels, rent levels or home prices, and workforce housing standards.

AFFORDABLE HOUSING FINANCING

1615A SPECIAL CATEGORIES
TRANSFER TO GENERAL REVENUE FUND
FROM STATE HOUSING TRUST FUND 2,500,000

From the funds in Specific Appropriation 1615A, $2,500,000 from the State Housing Trust Fund shall be transferred to the General Revenue Fund in order to increase the amount of funds available for the Community Contribution Tax Credit Program authorized in sections 212.08, 220.183, and 624.5105, Florida Statutes.

1616 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - AFFORDABLE HOUSING PROGRAMS
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 32,500,000
FROM STATE HOUSING TRUST FUND 95,500,000

From the funds in Specific Appropriation 1616, $50,000,000 in recurring funds in the State Housing Trust Fund is provided for the State Apartment Incentive Loan Program.

From the funds in Specific Appropriation 1616, $5,000,000 from non-recurring funds in the State Housing Trust Fund shall be used to assist in the production of housing units for extremely-low-income persons, as defined in section 420.0004(8), Florida Statutes.

From the funds in Specific Appropriation 1616, $10,000,000 in non-recurring funds in the Local Government Housing Trust Fund is provided for a preservation rehabilitation pilot program in Pasco, Palm Beach, and Orange counties targeting rental housing that receives or has received funding from any federal or state housing funding program. To the maximum extent feasible, these moneys shall be leveraged by intermediaries at least 4:1.

From the funds in Specific Appropriation 1616, $20,000,000 in non-recurring funds in the State Housing Trust Fund shall be used for homeownership assistance in counties and municipalities in the state which have reduced impact fees within the 12 months prior to the effective date of this act, or reduce impact fees subsequent to the effective date of this act, by a minimum of 25% for a period not less than 18 months, or which impose no impact fees entirely for homeownership purposes.

From the funds in Specific Appropriation 1616, $22,500,000 in non-recurring funds in the Local Government Housing Trust Fund is provided for the State Apartment Incentive Loan program.

From the funds in Specific Appropriation 1616, Florida Housing Finance Corporation shall give preference to military personnel including active duty, reserves, National Guard, Coast Guard, Coast Guard reserves, and

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personnel honorably discharged who have their home of record as Florida, and were deployed as part of the Global War on Terrorism in support of Operation Iraqi Freedom, Operation Enduring Freedom, or any future combat operation. Combat service shall be verified through the submission of the DD-214 form by the veteran, or other documentation provided by the Florida Department of Military Affairs.

1617 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 166,183,500

1618 SPECIAL CATEGORIES
HOUSING FINANCE CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM - MONITORING
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 416,500

1619 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES (DCF) - HOMELESS PROGRAMS
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 5,900,000

TOTAL: AFFORDABLE HOUSING FINANCING
FROM TRUST FUNDS 303,000,000

TOTAL ALL FUNDS 303,000,000

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 16,062,176

1621 SALARIES AND BENEFITS POSITIONS 321.50
FROM GENERAL REVENUE FUND 3,345,851
FROM ADMINISTRATIVE TRUST FUND 16,770,288
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 70,939
FROM INLAND PROTECTION TRUST FUND 207,754
FROM FEDERAL GRANTS TRUST FUND 705,770

1622 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 76,320
FROM ADMINISTRATIVE TRUST FUND 652,814
FROM FEDERAL GRANTS TRUST FUND 381,879

1623 EXPENSES
FROM GENERAL REVENUE FUND 70,920
FROM ADMINISTRATIVE TRUST FUND 3,334,910
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 28,809
FROM INLAND PROTECTION TRUST FUND 59,471
FROM FEDERAL GRANTS TRUST FUND 910,283

1624 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 65,102
FROM FEDERAL GRANTS TRUST FUND 1,399

1625 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 388,322

1626 SPECIAL CATEGORIES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM
FROM ADMINISTRATIVE TRUST FUND 22,906

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1627 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 184,000

1627A SPECIAL CATEGORIES
POLLUTION RESTORATION CONTRACTS
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 199,880

1628 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 86,889

1629 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 9,910

1630 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 357,407

1631 SPECIAL CATEGORIES
PETROLEUM CLEANUP AUDITS
FROM INLAND PROTECTION TRUST FUND 430,980

1632 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 22,571
FROM ADMINISTRATIVE TRUST FUND 112,253
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 460
FROM INLAND PROTECTION TRUST FUND 1,347
FROM FEDERAL GRANTS TRUST FUND 4,573

1633 QUALIFIED EXPENDITURE CATEGORY
APALACHICOLA-CHATTAHOOCHEE-FLINT RIVER BASIN CASE LITIGATION COSTS
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 3,387,500

From the funds in Specific Appropriation 1633, the Department of Environmental Protection shall submit to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, and the Executive Office of the Governor a quarterly status report on the Apalachicola, Chattahoochee, and Flint rivers water allocation compact litigation. The report shall also provide quarterly expenditures and budget projections for the remainder of the fiscal year.

1634 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FROM FEDERAL GRANTS TRUST FUND 2,200,000

1634A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CLEAN MARINA
FROM FEDERAL GRANTS TRUST FUND 2,639,438

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 3,515,662
FROM TRUST FUNDS 33,215,283

TOTAL POSITIONS 321.50
TOTAL ALL FUNDS 36,730,945

FLORIDA GEOLOGICAL SURVEY

APPROVED SALARY RATE 1,337,946

1634B SALARIES AND BENEFITS POSITIONS 29.50
FROM MINERALS TRUST FUND 1,406,966
FROM WATER QUALITY ASSURANCE TRUST FUND . 400,259

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1634C OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 166,082
FROM GRANTS AND DONATIONS TRUST FUND . . . 176,147
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 65,529
FROM WATER QUALITY ASSURANCE TRUST FUND . 50,000

1634D EXPENSES
FROM FEDERAL GRANTS TRUST FUND 27,727
FROM GRANTS AND DONATIONS TRUST FUND . . . 110,905
FROM WATER QUALITY ASSURANCE TRUST FUND . 401,250

1634E OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 46,000
FROM MINERALS TRUST FUND 48,868
FROM WATER QUALITY ASSURANCE TRUST FUND . 79,351

1634F SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 68,965
FROM GRANTS AND DONATIONS TRUST FUND . . . 128,077
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 102,000
FROM MINERALS TRUST FUND 5,700
FROM WATER QUALITY ASSURANCE TRUST FUND . 120,000

1634G SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM MINERALS TRUST FUND 6,049

1634H SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM MINERALS TRUST FUND 12,939
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,076

TOTAL: FLORIDA GEOLOGICAL SURVEY
FROM TRUST FUNDS 3,423,890

TOTAL POSITIONS 29.50
TOTAL ALL FUNDS 3,423,890

TECHNOLOGY AND INFORMATION SERVICES

APPROVED SALARY RATE 3,115,010

1634I SALARIES AND BENEFITS POSITIONS 67.00
FROM WORKING CAPITAL TRUST FUND 4,079,687

1634J OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 400,000

1634K EXPENSES
FROM WORKING CAPITAL TRUST FUND 1,949,343

1634L OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 82,500

1634M SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND 1,200,000

1634N SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKING CAPITAL TRUST FUND 28,957

1634O DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 2,165,655

TOTAL: TECHNOLOGY AND INFORMATION SERVICES
FROM TRUST FUNDS 9,906,142

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TOTAL POSITIONS 67.00
TOTAL ALL FUNDS 9,906,142

PROGRAM: STATE LANDS

INVASIVE PLANT CONTROL

APPROVED SALARY RATE 1,303,669

1635 SALARIES AND BENEFITS POSITIONS 29.50
FROM INVASIVE PLANT CONTROL TRUST FUND . . 1,741,918

1636 OTHER PERSONAL SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND . . 457,080

1637 EXPENSES
FROM INVASIVE PLANT CONTROL TRUST FUND . . 822,437

1638 OPERATING CAPITAL OUTLAY
FROM INVASIVE PLANT CONTROL TRUST FUND . . 16,782

1639 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INVASIVE PLANT CONTROL TRUST FUND . . 215,000

1640 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM INVASIVE PLANT CONTROL TRUST FUND . . 39,434,647
FROM FEDERAL GRANTS TRUST FUND 800,000

1641 SPECIAL CATEGORIES
TRANSFER TO FISH AND WILDLIFE CONSERVATION
COMMISSION FOR ADMINISTRATIVE OVERHEAD
FROM INVASIVE PLANT CONTROL TRUST FUND . . 880,000

1642 SPECIAL CATEGORIES
TRANSFER TO THE UNIVERSITY OF FLORIDA -
COOPERATIVE AQUATIC PLANT EDUCATION
PROGRAM
FROM INVASIVE PLANT CONTROL TRUST FUND . . 25,000

1643 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC
PLANT RESEARCH
FROM INVASIVE PLANT CONTROL TRUST FUND . . 874,171

1644 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INVASIVE PLANT CONTROL TRUST FUND . . 13,005

TOTAL: INVASIVE PLANT CONTROL
FROM TRUST FUNDS 45,280,040

TOTAL POSITIONS 29.50
TOTAL ALL FUNDS 45,280,040

LAND ADMINISTRATION

APPROVED SALARY RATE 2,013,137

1645 SALARIES AND BENEFITS POSITIONS 44.00
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 2,527,915
FROM LAND ACQUISITION TRUST FUND 217,356
FROM WATER MANAGEMENT LANDS TRUST FUND . . 60,472

1646 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 120,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 514,921
FROM LAND ACQUISITION TRUST FUND 4,000

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1647 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 229,278
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 637,833
FROM LAND ACQUISITION TRUST FUND 18,394
FROM WATER MANAGEMENT LANDS TRUST FUND . . 6,648

1648 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 28,737
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 42,550

1650 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 199,994

1651 SPECIAL CATEGORIES
NATURAL AREAS INVENTORY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 445,895

1652 SPECIAL CATEGORIES
PAYMENT IN LIEU OF TAXES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,360,000

1653 SPECIAL CATEGORIES
FLORIDA FOREVER
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 150,000

1654 SPECIAL CATEGORIES
TRANSFER TO SAVE OUR EVERGLADES TRUST FUND
FROM GENERAL REVENUE FUND 50,000,000

1655 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 3
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 20,071
FROM LAND ACQUISITION TRUST FUND 1,597
FROM WATER MANAGEMENT LANDS TRUST FUND . . 446

1656 FIXED CAPITAL OUTLAY
DEBT SERVICE - FLORIDA FOREVER BONDS - NEW SERIES
FROM LAND ACQUISITION TRUST FUND 7,974,167

1656A FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM GENERAL REVENUE FUND 3,229,000
FROM FLORIDA FOREVER TRUST FUND 18,000,000

1657 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER TRUST FUND 105,000,000

1658 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND 397,442,153

Funds provided in Specific Appropriation 1658 are for Fiscal Year 2008-2009 debt service on outstanding bonds authorized prior to July 1, 2008. 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.

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1659 FIXED CAPITAL OUTLAY
DEBT SERVICE - SAVE OUR EVERGLADES BONDS
FROM SAVE OUR EVERGLADES TRUST FUND . . . 17,641,979

Funds provided in Specific Appropriation 1659 are for Fiscal Year 2008-2009 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.

1661 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
AID TO WATER MANAGEMENT DISTRICTS-LAND ACQUISITION
FROM FLORIDA FOREVER TRUST FUND 105,000,000
FROM WATER MANAGEMENT LANDS TRUST FUND . . 59,000,000

Funds provided in Specific Appropriation 1661 from the Water Management Lands Trust Fund shall be allocated in accordance with the provisions of section 373.59(8), Florida Statutes. First priority for the use of these funds shall be to meet outstanding debt service obligations, to meet statutory requirements for payments in lieu of taxes, and to provide management of water management lands as authorized in section 373.59(9), Florida Statutes. Management may include the control and removal of non-indigenous vegetation.

After meeting the requirements in the above paragraph, the governing board of a water management district may request, and the secretary of the department shall release upon such request, funds provided in Specific Appropriation 1661 from the Water Management Lands Trust Fund for the purpose of carrying out the provisions of sections 373.451-373.4595, Florida Statutes.

1662 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EVERGLADES RESTORATION
FROM SAVE OUR EVERGLADES TRUST FUND . . . 50,000,000

Funds in Specific Appropriation 1662 are provided for one or more of the following: implementation of projects identified in phase I of the Lake Okeechobee Protection Plan identified in section 373.4595(3)(b), Florida Statutes; for land acquisition, the design and construction of Comprehensive Everglades Restoration Plan project components submitted for approval to the Department of Environmental Protection pursuant to section 373.026(8)(b), Florida Statutes; for the implementation of a water quality feasibility study as defined in the Comprehensive Everglades Restoration Plan; for project components which benefit the hydrology, water quality, and aquatic habitats of the Caloosahatchee and St. Lucie watersheds, including project components in the Lake Okeechobee watershed; for the planning, design and engineering of a stormwater treatment area in the C-43 basin; for the development of the Caloosahatchee and St. Lucie Watershed Protection Plans identified in sections 373.4595(4)(a) and 373.4595(4)(b), Florida Statutes; for implementation of pilot projects that are cost-effective, biologically based, hybrid wetland/chemical and other innovative nutrient control technologies pursuant to sections 373.4595(3)(c), 373.4595(4)(a) and 373.4595(4)(b), Florida Statutes; and for the acquisition of lands needed for restoration.

From the funds in Specific Appropriation 1662, $3,000,000 is provided to the Department of Agriculture and Consumer Services to be deposited in the General Inspection Trust Fund for the purpose of implementing agricultural nonpoint source controls in the Okeechobee, Caloosahatchee River and St. Lucie River watersheds as identified in sections 373.4595(3)(c), 373.4595(4)(a), and 373.4595(4)(b), Florida Statutes.

TOTAL: LAND ADMINISTRATION
FROM GENERAL REVENUE FUND 53,229,000
FROM TRUST FUNDS 766,644,409

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TOTAL POSITIONS	44.00	
TOTAL ALL FUNDS		819,873,409

LAND MANAGEMENT

APPROVED SALARY RATE 4,402,546

1663	SALARIES AND BENEFITS POSITIONS	102.00	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		841,156
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		5,004,614
1664	OTHER PERSONAL SERVICES		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		784,659
	FROM GRANTS AND DONATIONS TRUST FUND . . .		874,024
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		426,519
1665	EXPENSES		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		184,844
	FROM GRANTS AND DONATIONS TRUST FUND . . .		494,788
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		989,128
1666	OPERATING CAPITAL OUTLAY		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		33,111
	FROM GRANTS AND DONATIONS TRUST FUND . . .		150,000
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		67,363
1666A	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF AGRICULTURE PLANT INDUSTRY TRUST FUND		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		250,000
1667	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		20,000
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		484,020
1668	SPECIAL CATEGORIES		
	STATE LANDS STEWARDSHIP		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		375,000
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		200,000
1669	SPECIAL CATEGORIES		
	NATIONAL OCEAN SURVEY		
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		84,000
1670	SPECIAL CATEGORIES		
	RICO ACT- DISTRIBUTION OF PROCEEDS FROM PROPERTY SALES		
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		716,932
1671	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		99,591
1672	SPECIAL CATEGORIES		
	TOPOGRAPHIC MAPPING		
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		200,000
1674	SPECIAL CATEGORIES		
	TRANSFER - DIVISION OF FORESTRY INCIDENTAL TRUST FUND		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		21,733,338
1675	SPECIAL CATEGORIES		
	TRANSFER TO FISH AND WILDLIFE CONSERVATION COMMISSION FOR MANAGEMENT OF CARL LANDS		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		18,787,994
1676	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF STATE FOR GRANTS AND DONATIONS TRUST FUND		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		7,842,753
1677	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND		6,559
	FROM INTERNAL IMPROVEMENT TRUST FUND . . .		38,517
TOTAL: LAND MANAGEMENT			
	FROM TRUST FUNDS		60,688,910
	TOTAL POSITIONS	102.00	
	TOTAL ALL FUNDS		60,688,910

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 19,292,811

1678	SALARIES AND BENEFITS POSITIONS	463.00	
	FROM GENERAL REVENUE FUND	10,022,264	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,852,255
	FROM FEDERAL GRANTS TRUST FUND		828,960
	FROM LAND ACQUISITION TRUST FUND		1,299,159
	FROM PERMIT FEE TRUST FUND		9,662,178

Of the funds in Specific Appropriation 1678, $3,814,050 from the Permit Fee Trust Fund for the Drinking Water and Environmental Permitting Program is contingent upon Senate Bill 1294 or similar legislation, relating to permit fees, becoming a law.

1679	OTHER PERSONAL SERVICES		
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		294,303
1680	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
1681	SPECIAL CATEGORIES		
	WATER QUALITY MANAGEMENT/PLANNING GRANTS		
	FROM FEDERAL GRANTS TRUST FUND		2,904,072
	FROM GRANTS AND DONATIONS TRUST FUND . . .		288,000
1682	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
	FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND		1,000,000

From the funds in Specific Appropriation 1682 , $1 million from the Water Protection and Sustainability Program Trust Fund shall be

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transferred to the Department of Health to further develop cost-effective nitrogen reduction strategies. The Department of Health shall contract, by request for proposal, for Phase I of an anticipated 3-year project to develop passive strategies for nitrogen reduction that complement use of conventional onsite wastewater treatment systems. The project shall be controlled by the Department of Health's research review and advisory committee and shall include the following components: 1) comprehensive review of existing or ongoing studies on passive technologies; 2) field-testing of nitrogen reducing technologies at actual home sites for comparison of conventional, passive technologies and performance-based treatment systems to determine nitrogen reduction performance; 3) documentation of all capital, energy and life-cycle costs of various technologies for nitrogen reduction; 4) evaluation of nitrogen reduction provided by soils and the shallow groundwater below and down gradient of various systems; and 5) development of a simple model for predicting nitrogen fate and transport from onsite wastewater systems. A progress report shall be presented to the Executive Office of the Governor, the President of the Senate and the Speaker of the House of Representatives on February 1, 2009, including recommendations for funding additional phases of the study.

The Department of Health shall also submit a report to the Executive Office of the Governor, the President of the Senate and the Speaker of the House of Representatives by no later than October 1, 2008, which identifies the range of costs to implement a mandatory statewide 5-year septic tank inspection program to be phased in over 10 years pursuant to the Department of Health's procedure for voluntary inspection, including use of fees to offset costs.

From the research fees collected pursuant to section 381.0066, Florida Statutes, $150,000 shall be used by the Department of Health to provide a statewide inventory of onsite treatment and disposal systems.

1683 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

1684 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 28,045
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 10,283,681
FROM TRUST FUNDS 22,527,225

TOTAL POSITIONS 463.00
TOTAL ALL FUNDS 32,810,906

AIR ASSESSMENT

APPROVED SALARY RATE 661,094

1685 SALARIES AND BENEFITS POSITIONS 16.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 885,185
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,830

1686 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 28,445
FROM GRANTS AND DONATIONS TRUST FUND . . . 60,000

1687 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 86,341

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1688 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 9,572

1689 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 5,300

1690 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

TOTAL: AIR ASSESSMENT
FROM TRUST FUNDS 1,182,594

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 1,182,594

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 3,645,806

1691 SALARIES AND BENEFITS POSITIONS 79.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 4,610,970

1692 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 174,156

1693 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 525,863

1694 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 88,735

1695 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 259,750

From the funds in Specific Appropriation 1695, $250,000 from the Air Pollution Control Trust Fund is provided for contract services for the development of rules associated with a cap-and-trade regulatory program designed to reduce greenhouse gas emissions from major emitters. These funds are contingent upon House Bill 7135 or similar legislation becoming law.

1696 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND . . 19,860

1697 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 5,711,941

TOTAL POSITIONS 79.00
TOTAL ALL FUNDS 5,711,941

WASTE CONTROL

APPROVED SALARY RATE 6,998,946

1698 SALARIES AND BENEFITS POSITIONS 162.00
FROM INLAND PROTECTION TRUST FUND 2,639,799
FROM FEDERAL GRANTS TRUST FUND 1,223,738
FROM PERMIT FEE TRUST FUND 667,964
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 1,579,013
FROM WATER QUALITY ASSURANCE TRUST FUND . 3,098,995

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1699 OTHER PERSONAL SERVICES
FROM INLAND PROTECTION TRUST FUND 110,000

1700 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

1701 OPERATING CAPITAL OUTLAY
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 60,919

1702 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

1703 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 120,594

1704 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 119,294
FROM FEDERAL GRANTS TRUST FUND 5,757
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 9,056

1705 SPECIAL CATEGORIES
RESEARCH, DEVELOPMENT AND TECHNICAL
ASSISTANCE - WASTE TIRE ABATEMENT PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 14,000

1706 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 10,946,461

TOTAL POSITIONS 162.00
TOTAL ALL FUNDS 10,946,461

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,312,524

1707 SALARIES AND BENEFITS POSITIONS 92.00
FROM GENERAL REVENUE FUND 1,665,551
FROM ADMINISTRATIVE TRUST FUND 2,675,978
FROM AIR POLLUTION CONTROL TRUST FUND . . 1,051,153
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 305,617

1708 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 127,564
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 18,621

1709 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
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 58,316

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1710 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 13,804

1711 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 44,795
FROM ADMINISTRATIVE TRUST FUND 90,085
FROM AIR POLLUTION CONTROL TRUST FUND . . 8,894

1712 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 123,109
FROM ADMINISTRATIVE TRUST FUND 59,709

1713 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 . . 7,178
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,086

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,795,502
FROM TRUST FUNDS 5,487,619

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 8,283,121

WASTE CLEANUP

APPROVED SALARY RATE 44,154

1714 SALARIES AND BENEFITS POSITIONS 1.00
FROM WATER QUALITY ASSURANCE TRUST FUND . 103,646

1715 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 69,941

1716 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 173,988

TOTAL POSITIONS 1.00
TOTAL ALL FUNDS 173,988

PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

APPROVED SALARY RATE 8,135,419

1742A SALARIES AND BENEFITS POSITIONS 184.00
FROM GENERAL REVENUE FUND 1,430,448
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 4,758,948
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 429,117
FROM FEDERAL GRANTS TRUST FUND 1,897,562
FROM GRANTS AND DONATIONS TRUST FUND . . . 77,409
FROM LAND ACQUISITION TRUST FUND 64,738
FROM PERMIT FEE TRUST FUND 53,109
FROM WATER QUALITY ASSURANCE TRUST FUND . 2,231,338

1742B OTHER PERSONAL SERVICES
FROM ENVIRONMENTAL LABORATORY TRUST FUND . 535,969

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FROM FEDERAL GRANTS TRUST FUND		60,039
FROM LAND ACQUISITION TRUST FUND		2,454,271
FROM WATER QUALITY ASSURANCE TRUST FUND .		70,950
1742C 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		10,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,339
FROM PERMIT FEE TRUST FUND		96,923
FROM WATER QUALITY ASSURANCE TRUST FUND .		272,602
1742D OPERATING CAPITAL OUTLAY		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		271,500
FROM FEDERAL GRANTS TRUST FUND		13,002
1742E SPECIAL CATEGORIES		
GROUND WATER QUALITY MONITORING NETWORK		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		125,000
FROM WATER QUALITY ASSURANCE TRUST FUND .		1,798,745
1742F SPECIAL CATEGORIES		
WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		476,425
1742G SPECIAL CATEGORIES		
EVERGLADES LAB SUPPORT		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		469,471
1742H SPECIAL CATEGORIES		
WATER QUALITY MANAGEMENT/PLANNING GRANTS		
FROM FEDERAL GRANTS TRUST FUND		1,750,000
1742I SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		436,559
FROM FEDERAL GRANTS TRUST FUND		50,000
1742J SPECIAL CATEGORIES		
HAZARDOUS WASTE CLEANUP		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		339,150
1742K SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND		5,452
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		10,696
1742L SPECIAL CATEGORIES		
U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT		
FROM FEDERAL GRANTS TRUST FUND		78,500
FROM WATER QUALITY ASSURANCE TRUST FUND .		214,897
1742M SPECIAL CATEGORIES		
TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH		
FROM WATER QUALITY ASSURANCE TRUST FUND .		450,000
1742N SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM ENVIRONMENTAL LABORATORY TRUST FUND .		37,126
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		2,617
FROM FEDERAL GRANTS TRUST FUND		23,063
FROM GRANTS AND DONATIONS TRUST FUND . . .		472
FROM WATER QUALITY ASSURANCE TRUST FUND .		25,070

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1742O FIXED CAPITAL OUTLAY		
REPAIRS AND RENOVATIONS - LABORATORY COMPLEX - LEON COUNTY		
FROM FEDERAL GRANTS TRUST FUND		2,450,000
1742P FIXED CAPITAL OUTLAY		
TOTAL MAXIMUM DAILY LOADS		
FROM WATER QUALITY ASSURANCE TRUST FUND .		17,429,490
1742Q 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 .		4,900,000
TOTAL: WATER SCIENCE AND LABORATORY SERVICES		
FROM GENERAL REVENUE FUND	1,462,649	
FROM TRUST FUNDS		55,915,006
TOTAL POSITIONS	184.00	
TOTAL ALL FUNDS		57,377,655

PROGRAM: WATER RESOURCE MANAGEMENT

BEACH MANAGEMENT

APPROVED SALARY RATE 3,302,270		
1743 SALARIES AND BENEFITS POSITIONS	78.00	
FROM GENERAL REVENUE FUND	220,449	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,547,110
FROM PERMIT FEE TRUST FUND		666,971
1744 OTHER PERSONAL SERVICES		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		497,857
1745 EXPENSES		
FROM GENERAL REVENUE FUND	77,684	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		533,111
FROM PERMIT FEE TRUST FUND		307,101
1746 OPERATING CAPITAL OUTLAY		
FROM PERMIT FEE TRUST FUND		18,389
1747 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	3,144	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		26,233
FROM PERMIT FEE TRUST FUND		3,045
1748 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
BEACH PROJECTS - STATEWIDE		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		21,935,695

Funds in Specific Appropriation 1748 are provided to fund, in accordance with section 161.101, Florida Statutes, the Department of Environmental Protection Beach Management Funding Assistance Program according to the Priority Projects List and Alternate Projects List, dated February 12, 2008, with the following clarifications and modifications:

$2,062,573 shall be used for Post-Construction Monitoring. Additional monitoring costs may be included as part of individual project contracts;

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$1,065,000 shall be used for Statewide Beach Management Project Support for the Beaches and Shores Resource Center, Coastal Construction Line Restudy, and Inventory of Identified Offshore Sand Resources;

$492,830 shall be used for Gasparilla Island Beach Nourishment;

$2,000,000 shall be used for Estero Island Beach Restoration;

$1,656,025 shall be used for New Projects/Feasibility Design for all feasibility studies and Inlet Management Plan design studies. The remaining funds may be used for ready-to-proceed restoration project design studies;

No funds are provided for Regional Monitoring and Regional Sand Search.

$3,000,000 shall be used to fund any projects on the Department's Alternate Projects List for the 2008-2009 fiscal year that received appropriations from section 33 of chapter 2007-72, Laws of Florida.

With oversight and organizational support from the Executive Office of the Secretary of the Department of Environmental Protection, a working group for the following purposes shall be formed to review the effectiveness of Florida's statewide beach management program, pursuant to chapter 161, Florida Statutes. The review shall include, but is not limited to, the following:(1) the responsiveness and timeliness of the permitting process associated with beach and dune nourishment projects; (2) beach management project selection and funding procedures, contract management, and expenditure accountability associated with all beach management projects pursuant to section 161.101, Florida Statutes; (3) current post-construction project monitoring requirements for beach projects in terms of consistent monitoring protocol, justification, required frequency, usefulness of data, and elimination of duplication; and (4) the pursuit of regional mitigation plans with a pilot plan in southeast Florida, and a balanced mitigation strategy for projects declared to be in the public interest.

Representation on the working group shall include: the Secretary of the Department of Environmental Protection or designee, representatives from the city and county general government associations, a beach governmental-based association representative, a university coastal processes expert, a biological expert, a coastal-engineering professional, a local coastal government representative, a multi-program contact manager, and an environmental/coastal stakeholder.

This group shall submit a report to the President of the Senate, the Speaker of the House, and the Executive Office of the Governor, by January 15, 2009, with recommendations regarding statewide and regional beach management planning improvements, possible changes to chapter 161, Florida Statutes, associated rules to enhance program efficiency, and a formalized project review mechanism with external review team.

TOTAL: BEACH MANAGEMENT		
FROM GENERAL REVENUE FUND	301,277	
FROM TRUST FUNDS		27,535,512
TOTAL POSITIONS	78.00	
TOTAL ALL FUNDS		27,836,789

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 10,140,294

1749	SALARIES AND BENEFITS POSITIONS	209.50	
	FROM GENERAL REVENUE FUND	826,857	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		334,920
	FROM FEDERAL GRANTS TRUST FUND		5,505,263
	FROM LAND ACQUISITION TRUST FUND		575,870
	FROM MINERALS TRUST FUND		2,255,901
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		1,344,603
	FROM PERMIT FEE TRUST FUND		1,092,711
	FROM WATER QUALITY ASSURANCE TRUST FUND .		1,379,662

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1750	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	20,154	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		358,779
	FROM MINERALS TRUST FUND		105,648
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		59,938
	FROM WATER QUALITY ASSURANCE TRUST FUND .		225,168
1751	EXPENSES		
	FROM LAND ACQUISITION TRUST FUND		97,750
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		495,041
	FROM PERMIT FEE TRUST FUND		463,870
	FROM WATER QUALITY ASSURANCE TRUST FUND .		209,928
1752	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING		
	FROM WATER MANAGEMENT LANDS TRUST FUND . .		453,000
1753	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - WATER MANAGEMENT DISTRICT PERMITTING ASSISTANCE		
	FROM WATER MANAGEMENT LANDS TRUST FUND . .		250,000
1754	OPERATING CAPITAL OUTLAY		
	FROM MINERALS TRUST FUND		1,132
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		40,125
1757	SPECIAL CATEGORIES		
	WATER QUALITY MANAGEMENT/PLANNING GRANTS		
	FROM FEDERAL GRANTS TRUST FUND		3,996,190
	FROM GRANTS AND DONATIONS TRUST FUND . . .		500,000
1758	SPECIAL CATEGORIES		
	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM		
	FROM PERMIT FEE TRUST FUND		3,000,000
1759	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM MINERALS TRUST FUND		20,000
1760	SPECIAL CATEGORIES		
	HAZARDOUS WASTE CLEANUP		
	FROM WATER QUALITY ASSURANCE TRUST FUND .		2,549,943
1761	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	86,927	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		11,782
	FROM MINERALS TRUST FUND		3,561
	FROM PERMIT FEE TRUST FUND		11,782
1762	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF HEALTH FOR STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE ACT		
	FROM INLAND PROTECTION TRUST FUND		1,285,197
1763	SPECIAL CATEGORIES		
	HABITAT RESTORATION		
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		200,000
1765	SPECIAL CATEGORIES		
	UNDERGROUND STORAGE TANK CLEANUP		
	FROM INLAND PROTECTION TRUST FUND		300,000

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1766 SPECIAL CATEGORIES
WATER WELL CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,581,061

1767 SPECIAL CATEGORIES
TRANSFER TO ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND
FROM GENERAL REVENUE FUND 4,024,853
FROM LAND ACQUISITION TRUST FUND 2,000,000
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND 8,700,000

1768 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,014
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 3,302
FROM FEDERAL GRANTS TRUST FUND 29,078
FROM LAND ACQUISITION TRUST FUND 4,842
FROM MINERALS TRUST FUND 17,092
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 10,163
FROM PERMIT FEE TRUST FUND 9,088
FROM WATER QUALITY ASSURANCE TRUST FUND . 532

1769 SPECIAL CATEGORIES
WETLANDS PROTECTION
FROM FEDERAL GRANTS TRUST FUND 284,459

1770 FIXED CAPITAL OUTLAY
HAZARDOUS SITES CLEANUP - PHOSPHATE/ MULBERRY/PINEY POINT
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 21,700,000

Funds in Specific Appropriation 1770 are contingent upon Senate Bill 1294 or similar legislation, relating to the phosphate severance tax, becoming a law.

1770A FIXED CAPITAL OUTLAY
NON-MANDATORY LAND RECLAMATION PROJECTS
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 7,200,000

Funds in Specific Appropriation 1770A are contingent upon Senate Bill 1294 or similar legislation, relating to the phosphate severance tax, becoming a law.

1772A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - TOTAL MAXIMUM DAILY LOADS
FROM GENERAL REVENUE FUND 1,500,000

The funds in Specific Appropriation 1772A shall be used to address Total Maximum Daily Loads in the St. Johns River.

1772B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - ENVIRONMENT RESTORATION AND WATER SUSTAINABILITY
FROM GENERAL REVENUE FUND 15,000,000

Funds in Specific Appropriation 1772B are provided to the Southwest Florida Water Management District to implement environmental restoration and water resource sustainability projects and programs as described in the: Southern Water Use Caution Area Recovery Strategy final report; and projects that are consistent with the current Regional Water Supply Plan. Funds are contingent upon matching dollars as follows: a) one-third of the project cost from the Southwest Florida Water Management District; and b) one-third of the project cost from project partners.

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1772C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WATER PROJECTS
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 66,500,000

Local governments receiving funds in Specific Appropriation 1772C shall provide matching dollars as follows: a) 25 percent for wastewater projects; b) 50 percent for stormwater and surface water restoration projects; and c) 50 percent for drinking water projects. Financially disadvantaged small local governments, as defined in section 403.885(3), Florida Statutes, shall be exempt from the match provision of this section. Local governmental entities that have been declared in a state of financial emergency pursuant to section 218.503, Florida Statutes, shall be exempt from the match provision.

Funds in Specific Appropriation 1772C from the Ecosystem Management and Restoration Trust Fund shall be used for the following water projects:

Altha Sewer System..... 350,000
Aventura NE 190 Street Drainage Improvements..... 155,000
Bay Harbor Islands Installation of Automated Water Meters... 200,000
Belleview Wastewater System Improvement Program..... 325,000
Big Bend Water Authority Wastewater Treatment Plant Expansion..... 300,000
Biscayne Park Stormwater Project Phase III..... 200,000
Boca Raton Intracoastal Parallel Force Main..... 125,000
Bonita Springs Silt Removal From Imperial River and Oak Creek..... 250,000
Brooksville Water System Improvement Project..... 190,000
Broward County Initiative..... 100,000
Callahan New Well Site..... 800,000
Chattahoochee Rosedale Water..... 550,000
Citrus County Chassahowitzka Area Drinking Water System..... 300,000
Citrus County Homosassa Wastewater Collection System - Phase 4 (Chassahowitzka Phase 1)..... 250,000
Coral Gables City 2 Sanitary Sewer Pump Station Rehabilitation..... 250,000
Coral Gables City 3 Sanitary Sewer Pump Station Rehabilitation..... 500,000
Coral Gables Old Cutler Sanitary Sewer Force Main Replacement..... 500,000
Cutler Bay Stormwater Improvements..... 250,000
DeLand Spring Hill Community Infrastructure Improvements - Phase V..... 350,000
East Putnam County Regional Wastewater Project..... 250,000
El Portal Stormwater Drainage Improvement Project Phase III. 100,000
Escambia Bay PCB Remediation..... 200,000
Estero Bay Watershed Initiative..... 300,000
Florida City Protection of Municipal Water System Supply.... 300,000
Florida Keys Water Resource Initiative..... 100,000
Fort Lauderdale River Oaks Stormwater Park..... 2,250,000
Fort Meade Water Plant Improvements..... 200,000
Fort Myers East Reclamation Facility..... 500,000
Fort Myers Northern 10 Mile Canal Treatment System..... 300,000
Fort Walton Beach Reuse Water System Expansion..... 200,000
Fort Walton Beach Stormwater Improvement Project..... 200,000
Frostproof Wastewater System Improvements..... 300,000
Gadsden County Water/Wastewater Infrastructure..... 700,000
Gainesville Paynes Prairie Sheetflow Restoration..... 500,000
Glades County Pearce Canal Navigational Improvements Conceptual Design and Permitting Feasibility Contract..... 250,000
Golden Beach Stormwater Improvements - Portion of Phases 2 & 3..... 350,000
Golden Beach Water Distribution System..... 200,000
Grand Ridge Wastewater Improvements..... 300,000
Gretna Inflow/Infiltration..... 500,000
Hardee County Wauchula Hills Wastewater Service Area..... 740,000
Harris Chain of Lakes Restoration..... 300,000
Havana North Water Main Loop Connection..... 100,000
Hendry County Airport Sears Stormwater Implementation..... 200,000
Hendry County Central County Water Control Flood Protection Project..... 100,000
Highlands County Istokpoga Residential Canal Maintenance

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Project	800,000
Hillsborough County Duck Pond Area Drainage Improvements	400,000
Hillsborough County E. Morgan St. at Parsons Ave. Drainage Improvements	100,000
Hillsborough County Lake Meade Drainage Improvements	100,000
Hillsborough County Trapnell at Ray Ann/Nesmith Drainage Improvements	100,000
Hillsborough County Stormwater Utility Pilot	400,000
Homestead Flood Control Improvement Project	500,000
Howell Branch Lakes Stormwater Retrofit	350,000
Indian River Lagoon Initiative	3,600,000
Indian River Lagoon Issues Team	1,400,000
Jacksonville Lincoln Villas Septic Tank Phase Out Project Phase II	300,000
Jacksonville Lower Eastside Drainage Improvement Phase III	100,000
Jacksonville Williamson Creek Restoration	250,000
Key Biscayne Sanitary Sewer Project	100,000
Lake Park Stormwater Improvements - Lake Shore Drive	100,000
Lake Placid Water Treatment Plant and Distribution Lines	500,000
Lantana Western Wellfield	350,000
Lauderdale Lakes Stormwater Improvement Project Phase 3	300,000
Laurel Hill Drinking Water System Upgrade	300,000
Lee County Integrated Alternative Resources Expansion of the Olga Water Plant	400,000
Lee County Southwest Lehigh Structures PD&E	90,000
Lower St. Johns River Basin Initiative	3,700,000
Loxahatchee River Preservation Initiative	1,300,000
Macclenny Water Conservation	250,000
Mangonia Park Drainage Improvements	500,000
Marathon Wastewater Treatment	100,000
Marion County Silver Springs Water Quality Improvement	100,000
Miami Beach Stormwater Infrastructure Improvement Project	500,000
Miami Gardens NW 167th-175th Street/NW 11th-17th Avenue Drainage Improvements	100,000
Miami Lakes Bull Run Roadway and Drainage Improvement	200,000
Miami North Bayshore Drive Rebuild	100,000
Miami Springs Stormwater Improvements	250,000
Miami Stormwater Master Plan Implementation	1,000,000
Miami-Dade County C-103 Canal Outfalls Retrofit	100,000
Middle St. Johns River Basin Initiative	1,800,000
Moore Haven Stormwater Project	300,000
Mount Dora Lake John Stormwater Improvement	350,000
Myakka River Watershed Initiative	1,000,000
Newberry WWTP Expansion	400,000
North Bay Village Wastewater Forcemain & Pump Replacement	100,000
North Merritt Island Chase Hammock Improvement Plan	150,000
North Miami Beach NE 172 Street Drainage Improvements	250,000
North Miami Sanitary Sewer Force Main Improvements	100,000
North Palm Beach Earman River Water Pipe Line Replacement	85,000
North Port Stormwater Improvements, Phase 4	250,000
North Tampa Closed Basins Water Management	300,000
Oakland Park Floranada C-14 Canal Project	300,000
Okaloosa County Blackmon Community Water System	300,000
Okeechobee County Wastewater Expansion and Improvements	1,000,000
Opa Locka 143rd Street Stormwater Drainage and Street Improvements	100,000
Opa Locka Cairo Lane Stormwater Drainage and Street Improvements	100,000
Orange County Little Wekiva River Water Quality Improvement Initiative	1,000,000
Osceola County Osceola Parkway Water Main Replacement	100,000
Pahokee Water Main Improvements	100,000
Palatka Wastewater Plant	200,000
Palm Bay Basin 9 Stormwater Improvements	200,000
Palm Bay Wyoming/Tharp Stormwater Improvements	125,000
Palm Beach County Central Everglades Water Quality Improvement	250,000
Palm Beach County Chain of Lakes Restoration	200,000
Palm Beach County Lake Region Water Treatment Plant	400,000
Palm Beach County Lake Worth Lagoon Restoration	500,000
Palmetto Bay Stormwater System Improvements	800,000
Palmetto Collection System Rehabilitation Program	500,000
Pasco County Duck Slough BMP Implementation	250,000
Penney Farms Wastewater Treatment Facility	250,000

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Pinecrest Potable County Water and Fire Protection Improvement Project	1,000,000
Plant City Eastside Canal Stormwater Management Master Plan	500,000
Polk City Wastewater Treatment System	200,000
Pompano Beach Chlorine System Conversion	125,000
Port Orange B-23 Canal/Rose Bay Restoration	300,000
Sanford Lake Monroe Surface Water Quality Improvements	100,000
Santa Rosa County Moor Creek/Mt. Carmel Water Improvement	250,000
Sarasota County Phillippi Creek Septic System Replacement Program	1,500,000
Sarasota Indian Beach Sapphire Shores Stormwater Retrofit Pilot Project Engineering Plan	100,000
Sarasota Whitaker Bayou Greenway Park and Watershed Restoration Conceptual Plan	150,000
Sneads Wastewater Transmission System and WWTP	300,000
South Daytona Palm Grove Stormwater Project Final Phase	200,000
South Daytona Reuse Water Lines	200,000
South Miami Citywide Drainage Improvements	550,000
Southwest Ranches Public Safety Facility Drainage	39,867
St. Johns County Sixteen Mile Creek Stormwater Treatment Facility	100,000
St. Lucie River Issues Team	1,300,000
Starke Wastewater System Restoration	200,000
Sunny Isles Beach Central Island Stormwater	250,000
Surfside Sewer Rehab Phase I	100,000
Suwannee River Partnership Water Quality Based Best Management Practices Planning Implementation & Monitoring	500,000
Suwannee River Surface Water Improvement Initiative	2,350,000
Tallahassee Advanced Wastewater Treatment Improvements	500,000
Tamarac SCADA Radio Communication Project	200,000
Tamarac Stormwater Improvement Project	300,000
Tampa - Drew Park Drainage Improvements	100,000
Tampa Bay Restoration	1,000,000
Tavares Wastewater Reclamation and Recharge Project	175,000
Umatilla Implement Reuse Water and Expansion to Wastewater Plant, Sewer Line Repair or Replacement, Sewer Line to Snake Island	500,000
Unincorporated Monroe County Wastewater Projects	100,000
Upper Ocklawaha River Basin (including Lake Apopka) Initiative	2,500,000
Upper St. Johns River Basin Initiative	400,000
Virginia Gardens Stormwater Master Plan III	250,000
Wakulla County Wakulla Gardens Sewer Expansion	300,000
Walton County Phase II, Regional Water Supply	1,000,000
Watson Bayou Stormwater Expansion Project, Phase II	200,000
West Miami Phase III Stormwater Improvements	500,000
West Palm Beach Water Quality Improvement Project at the Historic City of West Palm Beach	500,000
West Park SR 7/US 441 Stormwater Improvements	250,000
Weston Stormwater Management	100,000
Wewahitchka Wastewater System Improvements	825,000
Winter Park Lake Berry Stormwater Treatment Project	400,000
Zolfo Springs WWTP & Sprayfield Expansion	200,000

From the funds appropriated for the Suwannee River Surface Water Improvement Initiative in Specific Appropriation 1772C, funds may be used for land acquisition that will benefit the Suwannee River.

From the funds appropriated in Specific Appropriation 1772C for the Indian River Lagoon Initiative, $1.5 million is for the Egret Marsh project. If all permits are not obtained and construction initiated by December 31, 2008, said funds shall be used to implement the Indian River Lagoon Initiative.

Funds provided to the Lower and Middle St. Johns River basin initiatives shall be applied to projects to achieve the most immediate nutrient inflow reductions.

1774 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	4,500,000
FROM GRANTS AND DONATIONS TRUST FUND	500,000

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1775 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
DRINKING WATER FACILITY CONSTRUCTION - STATE REVOLVING LOAN
FROM DRINKING WATER REVOLVING LOAN TRUST FUND 57,290,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 7,400,000

1776 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
WASTEWATER TREATMENT FACILITY CONSTRUCTION
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 7,200,000
FROM WASTEWATER TREATMENT AND STORMWATER MANAGEMENT REVOLVING LOAN TRUST FUND . . 110,570,000

1777 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SMALL COUNTY WASTEWATER TREATMENT GRANTS
FROM FEDERAL GRANTS TRUST FUND 10,300,000
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND 10,000,000

From the funds in Specific Appropriation 1777 from the Water Protection and Sustainability Program Trust Fund, $2 million shall be used for financial incentives for the development by local governments of the due diligence necessary to secure construction financing from a commercial lender for projects on the contingency portion of the Water Pollution Control State Revolving Fund (SRF) Priority List adopted by the Department of Environmental Protection pursuant to section 403.1835, Florida Statutes. Such incentives are intended to accelerate the construction of critical environmental infrastructure and as an economic stimulus for the State of Florida. The Department of Environmental Protection shall make payment from these funds, on a first-come-first-served basis, to local governments, in an amount not to exceed $135,000 each, upon receipt of the following from the local government: 1) documentation that the local government has entered into a binding loan agreement with a commercial lender; 2) invoices for costs incurred in support of preparing the due diligence to secure the commercial loan that have not already been paid by the department; and 3) certification that the loan will finance construction of a specific project on the contingency portion of the Water Pollution Control SRF Priority List. Any funds not disbursed by March 31, 2009, and for which complete documentation from a local government warranting disbursement has not been received, shall remain available in the Water Protection and Sustainability Program Trust Fund for the purposes of the Small Community Sewer Construction Assistance Act authorized under section 403.1838, Florida Statutes.

1778 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AID WATER MANAGEMENT DISTRICT ALTERNATIVE WATER SUPPLY
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND 7,700,000

Funds in Specific Appropriation 1778 from the Water Protection and Sustainability Program Trust Fund shall be provided for the following:

Doral JC Bermudez Park Reclaimed: Graywater Irrigation Project..... 1,000,000
Haines City Aquifer Recovery..... 500,000
North Miami Winson Water Plant..... 250,000
Plant City Sydney Road Reclaimed Water Distribution System, Phase I..... 250,000
South Florida Water Management District..... 3,000,000

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION
FROM GENERAL REVENUE FUND 21,477,805
FROM TRUST FUNDS 350,627,381

TOTAL POSITIONS 209.50
TOTAL ALL FUNDS 372,105,186

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WATER SUPPLY

APPROVED SALARY RATE 385,276

1779 SALARIES AND BENEFITS POSITIONS 7.00
FROM GENERAL REVENUE FUND 477,931

1780 EXPENSES
FROM GENERAL REVENUE FUND 177,008

1781 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMITTING PROGRAM
FROM GENERAL REVENUE FUND 3,840,000

1782 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NW FLORIDA WATER MANAGEMENT DISTRICT OPERATIONS
FROM WATER MANAGEMENT LANDS TRUST FUND . . 1,044,926

1783 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - WETLANDS PROTECTION
FROM WATER MANAGEMENT LANDS TRUST FUND . . 547,000

1784 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,138

TOTAL: WATER SUPPLY
FROM GENERAL REVENUE FUND 4,500,077
FROM TRUST FUNDS 1,591,926

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 6,092,003

PROGRAM: WASTE MANAGEMENT

WASTE CLEANUP

APPROVED SALARY RATE 4,306,141

1785 SALARIES AND BENEFITS POSITIONS 97.00
FROM INLAND PROTECTION TRUST FUND 3,980,722
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 20
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,723,930

1786 EXPENSES
FROM INLAND PROTECTION TRUST FUND 581,842
FROM FEDERAL GRANTS TRUST FUND 149
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 117
FROM WATER QUALITY ASSURANCE TRUST FUND . 198,562

1787 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND 29,787
FROM WATER QUALITY ASSURANCE TRUST FUND . 11,032

1788 SPECIAL CATEGORIES
TRANSFER TO DOT - KEEP AMERICA BEAUTIFUL AFFILIATES OF FLORIDA
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 500,000

1789 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND 2,545
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,200

1790 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 2,167,417

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1791 SPECIAL CATEGORIES
DRYCLEANING CONTAMINATION CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 100,000

1792 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 12,155
FROM WATER QUALITY ASSURANCE TRUST FUND . 5,212

1793 SPECIAL CATEGORIES
TRANSFER TO OTHER AGENCIES FOR IMPLEMENTATION OF HOUSE BILL 1671
FROM WATER QUALITY ASSURANCE TRUST FUND . 231,092

1794 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 11,197,668

1795 SPECIAL CATEGORIES
LOCAL GOVERNMENT CLEANUP CONTRACTING
FROM INLAND PROTECTION TRUST FUND 12,000,000

1796 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

1797 FIXED CAPITAL OUTLAY
DRY CLEANING SOLVENT CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 10,149,548

1798 FIXED CAPITAL OUTLAY
CLEANUP OF STATE OWNED LANDS
FROM INLAND PROTECTION TRUST FUND 2,000,000

1798A FIXED CAPITAL OUTLAY
WASTE TIRE ABATEMENT
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 50,000

1799 FIXED CAPITAL OUTLAY
PETROLEUM TANKS CLEANUP - PREAPPROVALS
FROM INLAND PROTECTION TRUST FUND 153,000,000

1800 FIXED CAPITAL OUTLAY
HAZARDOUS WASTE CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 4,200,000

TOTAL: WASTE CLEANUP
FROM TRUST FUNDS 202,185,649

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 202,185,649

WASTE CONTROL

APPROVED SALARY RATE 6,548,571

1801 SALARIES AND BENEFITS POSITIONS 146.00
FROM INLAND PROTECTION TRUST FUND 1,545,162
FROM FEDERAL GRANTS TRUST FUND 2,159,262
FROM PERMIT FEE TRUST FUND 50,096
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,295,723
FROM WATER QUALITY ASSURANCE TRUST FUND . 2,667,910

1802 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

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1803 EXPENSES
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 4,438
FROM INLAND PROTECTION TRUST FUND 212,393
FROM FEDERAL GRANTS TRUST FUND 636,909
FROM PERMIT FEE TRUST FUND 7,065
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 374,602
FROM WATER QUALITY ASSURANCE TRUST FUND . 260,992

1804 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SOUTHERN WASTE INFORMATION EXCHANGE CLEARING HOUSE
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 300,000

1805 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HAZARDOUS WASTE COLLECTION
FROM WATER QUALITY ASSURANCE TRUST FUND . 509,994

1806 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND 9,928
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 44,094
FROM WATER QUALITY ASSURANCE TRUST FUND . 33,061

1807 SPECIAL CATEGORIES
STORAGE TANK COMPLIANCE VERIFICATION
FROM INLAND PROTECTION TRUST FUND 10,000,000

1808 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH FOR BIOMEDICAL WASTE REGULATION
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 880,000

1809 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

1810 SPECIAL CATEGORIES
FEDERAL WASTE PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND 743,050

1811 SPECIAL CATEGORIES
HAZARDOUS WASTE SITES RESTORATION
FROM FEDERAL GRANTS TRUST FUND 1,999,847

1812 SPECIAL CATEGORIES
HAZARDOUS WASTE COMPLIANCE ASSISTANCE AND EDUCATION
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 200,000

1814 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - MOSQUITO CONTROL PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,160,000

1815 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 4,133
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 8,153
FROM WATER QUALITY ASSURANCE TRUST FUND . 10,736

1816 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA - RESEARCH AND TESTING
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 700,000

1817 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES

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PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND 10,481
FROM FEDERAL GRANTS TRUST FUND 14,647
FROM PERMIT FEE TRUST FUND 340
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 14,784
FROM WATER QUALITY ASSURANCE TRUST FUND . 17,633

1818 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - OPERATION CLEAN SWEEP
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 100,000

1819 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SOLID WASTE MANAGEMENT
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 14,839,054

From the funds in Specific Appropriation 1819, $9,428,773 shall be used for consolidated Solid Waste Management Grants in counties with a population less than 100,000 to support waste tire, litter prevention, recycling and education, and general solid waste management programs; $290,000 shall be used for Homestead Recycling Initiative; $100,000 shall be used for Cutler Bay Recycling/Waste Management program; $100,000 shall be used for the Village of Palmetto Bay Recycling/Waste Management program; $127,500 shall be used for the Belle Glade Recycling/Waste Management program; $100,000 shall be used for the Labelle Recycling/Solid Waste Management program; $250,000 shall be used for the Agriculture Film Collection and Processing Project; $245,000 shall be used for the Ammunition Roundup project; $250,000 shall be used for the Polyethylene Container Collection; $1,000,000 shall be used for the Florida Green Carbon-Offset; $281,000 shall be used for the Florida Organics Recycling Center of Excellence: A Continuation of Excellence project; $300,000 shall be used for the Statewide Individual-sized Polyethylene Terephthalate Container Collection and Densification Initiative; $116,000 shall be used for the Greenville Landfill monitoring; $250,000 shall be used for the Statewide Expanded Polystyrene Collection and Densification Project; and $2,000,781 shall be used for Innovative Grants.

TOTAL: WASTE CONTROL
FROM TRUST FUNDS 43,273,112

TOTAL POSITIONS 146.00
TOTAL ALL FUNDS 43,273,112

PROGRAM: RECREATION AND PARKS

LAND MANAGEMENT

APPROVED SALARY RATE 1,874,986

1820 SALARIES AND BENEFITS POSITIONS 48.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 40,905
FROM LAND ACQUISITION TRUST FUND 2,410,480

1821 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 804,408

1822 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 43,689
FROM LAND ACQUISITION TRUST FUND 594,102

1823 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 18,750

1824 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 500,000
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 4,500,000

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FROM INTERNAL IMPROVEMENT TRUST FUND . . . 1,000,000
FROM LAND ACQUISITION TRUST FUND 100,000

From the Conservation and Recreation Lands Trust Fund in Specific Appropriation 1824 , the Department of Environmental Protection in consultation with the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services shall issue a Request for Proposals for a public-private land management demonstration pilot project for a period of 5 years. The pilot project area shall consist of approximately 200,000 acres and shall consist of existing State Forests, State Wildlife Management Areas, state park lands not used for recreation, submerged lands, or properties formerly managed as Coastal Buffer Preserves. To the maximum extent practicable, the project area shall be proportionately distributed across lands currently managed by the Department of Environmental Protection, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services and shall be located within reasonable proximity to each other. The Request for Proposals shall be awarded no later than December 31, 2008. Proposals shall not exceed an average management cost of $25 per acre per year. Once awarded, the contractor shall prepare a land management plan consistent with the duties and responsibilities of the agencies and the certification standard of the Forest Stewardship Council, and submit this plan to the Acquisition and Restoration Council for approval. The contractor shall be responsible for all land management activities except for law enforcement. The effectiveness of this project shall be reviewed, compared to other state land management results, and certified by a Forest Stewardship Council third party certified auditor. The auditor shall submit its report to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives and the Acquisition and Restoration Council.

1825 SPECIAL CATEGORIES
MANAGEMENT OF WATER CONTROL STRUCTURES
FROM LAND ACQUISITION TRUST FUND 549,414

1826 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 15,824
FROM LAND ACQUISITION TRUST FUND 85,166

1827 SPECIAL CATEGORIES
GREENWAYS CARL MANAGEMENT FUNDING
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 2,130,392

1829 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

1830 FIXED CAPITAL OUTLAY
ACQUISITION OF RAILROAD RIGHTS OF WAY
FROM FLORIDA FOREVER TRUST FUND 4,500,000

1830A FIXED CAPITAL OUTLAY
LAKE OKEECHOBEE SCENIC TRAIL
FROM LAND ACQUISITION TRUST FUND 1,000,000

Funds in Specific Appropriation 1830A shall not be used for construction of Lake Okeechobee Scenic Trail segments of the Herbert Hoover Dike system undergoing restoration or being proposed for restoration.

1830B FIXED CAPITAL OUTLAY
CONSTRUCTION AND IMPROVEMENTS - INGLIS LOCK
FROM LAND ACQUISITION TRUST FUND 4,000,000

1831 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION -

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STATEWIDE
FROM LAND ACQUISITION TRUST FUND 5,000,000

1832 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NATIONAL RECREATIONAL TRAIL GRANTS
FROM FEDERAL GRANTS TRUST FUND 1,900,000

TOTAL: LAND MANAGEMENT
FROM GENERAL REVENUE FUND 500,000
FROM TRUST FUNDS 28,716,883

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 29,216,883

RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS

APPROVED SALARY RATE 339,557

1833 SALARIES AND BENEFITS POSITIONS 7.00
FROM LAND ACQUISITION TRUST FUND 412,843

1834 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 2,391

1835 EXPENSES
FROM LAND ACQUISITION TRUST FUND 34,548

1836 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF COMMUNITY AFFAIRS - FLORIDA COMMUNITIES TRUST
FROM LAND ACQUISITION TRUST FUND 1,210,682

1837 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND 3,071

1838 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

1839 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA RECREATION DEVELOPMENT ASSISTANCE GRANTS
FROM FLORIDA FOREVER TRUST FUND 6,000,000
FROM LAND ACQUISITION TRUST FUND 18,474,875

Funds in Specific Appropriation 1839 are provided for Florida Recreational Development Assistance Program projects. The department shall equitably prorate funds to each project on the recommended list.

1839A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LOCAL PARKS
FROM LAND ACQUISITION TRUST FUND 3,628,000

Funds in Specific Appropriation 1839A are provided for the following:

Brevard Zoo..... 500,000
Thalatta Park Development..... 200,000
Saga Bay Park Improvements..... 200,000
Gateway Park Acquisition..... 200,000
ARM Loxahatchee Wildlife Refuge..... 300,000
Braden River Ecosystem Preserve..... 500,000
Parramore Central Park - Orlando..... 200,000
Hope IV Park - Orlando..... 200,000
Pine Hills Park - Orlando..... 200,000
Kissimmee Park..... 200,000

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Miami Zoological Invasive Species Exhibit..... 478,000
Western Everglades Restoration: Evaluation of Restoration Effects Upon Selective Fauna..... 200,000
Franklin Co. Seafood Landing Park..... 150,000
Vrooman Park--EastPoint..... 100,000

TOTAL: RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS
FROM TRUST FUNDS 30,966,410

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 30,966,410

STATE PARK OPERATIONS

APPROVED SALARY RATE 33,158,326

1840 SALARIES AND BENEFITS POSITIONS 1,058.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,218,130
FROM STATE PARK TRUST FUND 45,170,942

1841 OTHER PERSONAL SERVICES
FROM STATE PARK TRUST FUND 3,729,868

1842 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 40,861
FROM STATE PARK TRUST FUND 11,857,905

1843 OPERATING CAPITAL OUTLAY
FROM STATE PARK TRUST FUND 305,614

1844 SPECIAL CATEGORIES
OPERATIONAL INCENTIVES PROGRAM
FROM STATE PARK TRUST FUND 100,000

1845 SPECIAL CATEGORIES
DISTRIBUTION OF SURCHARGE FEES
FROM STATE PARK TRUST FUND 700,000

1846 SPECIAL CATEGORIES
DISBURSE DONATIONS
FROM FEDERAL GRANTS TRUST FUND 60,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 250,000
FROM STATE PARK TRUST FUND 250,000

1847 SPECIAL CATEGORIES
LAND MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,593,307

1848 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE PARK TRUST FUND 28,007

1849 SPECIAL CATEGORIES
AMERICORPS PROGRAM
FROM FEDERAL GRANTS TRUST FUND 850,000

1850 SPECIAL CATEGORIES
OUTSOURCING/PRIVATIZATION
FROM STATE PARK TRUST FUND 4,771,903

1851 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM STATE PARK TRUST FUND 300,000

1852 SPECIAL CATEGORIES
PURCHASES FOR RESALE
FROM STATE PARK TRUST FUND 1,456,420

1853 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

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	FROM CONSERVATION AND RECREATION LANDS TRUST FUND	641,350
	FROM STATE PARK TRUST FUND	2,467,283
1855	SPECIAL CATEGORIES LAND USE PROCEEDS DISBURSEMENTS FROM STATE PARK TRUST FUND	75,000
1856	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	477,447
1857	FIXED CAPITAL OUTLAY HISTORIC STRUCTURE RENOVATIONS FROM CONSERVATION AND RECREATION LANDS TRUST FUND	1,000,000
1858	FIXED CAPITAL OUTLAY RESOURCE RESTORATION FROM CONSERVATION AND RECREATION LANDS TRUST FUND	1,000,000
1859	FIXED CAPITAL OUTLAY PARK DEVELOPMENT FROM CONSERVATION AND RECREATION LANDS TRUST FUND	1,500,000
1860	FIXED CAPITAL OUTLAY FACILITIES REPAIRS AND MAINTENANCE FROM CONSERVATION AND RECREATION LANDS TRUST FUND	5,000,000
1861	FIXED CAPITAL OUTLAY LAND ACQUISITION FROM FLORIDA FOREVER TRUST FUND	4,500,000
1862	FIXED CAPITAL OUTLAY DISASTER RELATED REPAIRS FROM FEDERAL GRANTS TRUST FUND	4,500,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .	500,000
1863	FIXED CAPITAL OUTLAY REMOVE ACCESSIBILITY BARRIERS - STATEWIDE FROM CONSERVATION AND RECREATION LANDS TRUST FUND	2,000,000
1864	FIXED CAPITAL OUTLAY GRANTS AND DONATIONS SPENDING AUTHORITY FROM FEDERAL GRANTS TRUST FUND	1,132,500
	FROM GRANTS AND DONATIONS TRUST FUND . . .	1,317,500
1865	FIXED CAPITAL OUTLAY FACILITY REPAIR NEEDS - STATEWIDE FROM CONSERVATION AND RECREATION LANDS TRUST FUND	15,000,000
1866	FIXED CAPITAL OUTLAY RENOVATIONS/REPLACEMENT - SEWAGE SYSTEM - STATEWIDE FROM CONSERVATION AND RECREATION LANDS TRUST FUND	3,000,000
1867	FIXED CAPITAL OUTLAY DEBT SERVICE FROM LAND ACQUISITION TRUST FUND	18,612,875
TOTAL:	STATE PARK OPERATIONS FROM TRUST FUNDS	135,419,814

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	TOTAL POSITIONS	1,058.00	
	TOTAL ALL FUNDS		135,419,814

COASTAL AND AQUATIC MANAGED AREAS

APPROVED SALARY RATE 4,548,599

1868	SALARIES AND BENEFITS	POSITIONS	112.00	
	FROM GENERAL REVENUE FUND		75,638	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND			441,376
	FROM FEDERAL GRANTS TRUST FUND			1,624,143
	FROM LAND ACQUISITION TRUST FUND			3,938,694
1869	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		80,040	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND			176,608
	FROM LAND ACQUISITION TRUST FUND			401,704
1870	EXPENSES			
	FROM GENERAL REVENUE FUND		21,999	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND			184,858
	FROM LAND ACQUISITION TRUST FUND			907,932
1871	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		2,600	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND			37,169
	FROM LAND ACQUISITION TRUST FUND			146,750
1872	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND			141,135
1873	SPECIAL CATEGORIES SUBMERGED RESOURCE DAMAGED RESTORATIONS FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND			57,834
1874	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CONSERVATION AND RECREATION LANDS TRUST FUND			100,000
	FROM LAND ACQUISITION TRUST FUND			67,303
1875	SPECIAL CATEGORIES LITTLE PINE ISLAND MITIGATION BANK FROM LAND ACQUISITION TRUST FUND			200,000
1876	SPECIAL CATEGORIES MARINE RESEARCH GRANTS FROM FEDERAL GRANTS TRUST FUND			4,037,883
	FROM GRANTS AND DONATIONS TRUST FUND . . .			300,000
	FROM LAND ACQUISITION TRUST FUND			303,389
1877	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CONSERVATION AND RECREATION LANDS TRUST FUND			29,840
	FROM FEDERAL GRANTS TRUST FUND			2,223
	FROM LAND ACQUISITION TRUST FUND			57,750
1878	SPECIAL CATEGORIES COASTAL AND AQUATIC MANAGED AREAS (CAMA) - CARL MANAGEMENT FUNDS FROM CONSERVATION AND RECREATION LANDS TRUST FUND			458,579
1880	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES			

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PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		400	
FROM CONSERVATION AND RECREATION LANDS TRUST FUND			3,966
FROM FEDERAL GRANTS TRUST FUND			11,706
FROM LAND ACQUISITION TRUST FUND			35,467
1881 FIXED CAPITAL OUTLAY			
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE			
FROM LAND ACQUISITION TRUST FUND			500,000
1882 FIXED CAPITAL OUTLAY			
PARTNERSHIP IN COASTAL AQUATIC MANAGED AREAS (CAMA)			
FROM LAND ACQUISITION TRUST FUND			250,000
TOTAL: COASTAL AND AQUATIC MANAGED AREAS			
FROM GENERAL REVENUE FUND		180,677	
FROM TRUST FUNDS			14,416,309
TOTAL POSITIONS		112.00	
TOTAL ALL FUNDS			14,596,986
PROGRAM: AIR RESOURCES MANAGEMENT			
AIR ASSESSMENT			
APPROVED SALARY RATE	1,669,920		
1883 SALARIES AND BENEFITS	POSITIONS	34.00	
FROM AIR POLLUTION CONTROL TRUST FUND . .			2,157,188
1884 OTHER PERSONAL SERVICES			
FROM AIR POLLUTION CONTROL TRUST FUND . .			1,780,806
1885 EXPENSES			
FROM AIR POLLUTION CONTROL TRUST FUND . .			923,383
1886 OPERATING CAPITAL OUTLAY			
FROM AIR POLLUTION CONTROL TRUST FUND . .			313,743
1887 SPECIAL CATEGORIES			
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS			
FROM AIR POLLUTION CONTROL TRUST FUND . .			3,662,968
1888 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM AIR POLLUTION CONTROL TRUST FUND . .			15,000
1889 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM AIR POLLUTION CONTROL TRUST FUND . .			9,544
1890 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM AIR POLLUTION CONTROL TRUST FUND . .			13,966
TOTAL: AIR ASSESSMENT			
FROM TRUST FUNDS			8,876,598
TOTAL POSITIONS		34.00	
TOTAL ALL FUNDS			8,876,598
AIR POLLUTION PREVENTION			
APPROVED SALARY RATE	2,486,281		
1891 SALARIES AND BENEFITS	POSITIONS	50.00	
FROM AIR POLLUTION CONTROL TRUST FUND . .			3,228,380

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1892 OTHER PERSONAL SERVICES			
FROM AIR POLLUTION CONTROL TRUST FUND . .			3,657,810
1893 EXPENSES			
FROM AIR POLLUTION CONTROL TRUST FUND . .			523,333
1894 OPERATING CAPITAL OUTLAY			
FROM AIR POLLUTION CONTROL TRUST FUND . .			73,937
1895 SPECIAL CATEGORIES			
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS			
FROM AIR POLLUTION CONTROL TRUST FUND . .			3,662,968
1896 SPECIAL CATEGORIES			
ASBESTOS REMOVAL PROGRAM FEES			
FROM AIR POLLUTION CONTROL TRUST FUND . .			150,000
1897 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM AIR POLLUTION CONTROL TRUST FUND . .			7,000
1898 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM AIR POLLUTION CONTROL TRUST FUND . .			9,504
1899 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM AIR POLLUTION CONTROL TRUST FUND . .			20,766
TOTAL: AIR POLLUTION PREVENTION			
FROM TRUST FUNDS			11,333,698
TOTAL POSITIONS		50.00	
TOTAL ALL FUNDS			11,333,698
UTILITIES SITING AND COORDINATION			
APPROVED SALARY RATE	697,439		
1900 SALARIES AND BENEFITS	POSITIONS	13.00	
FROM FEDERAL GRANTS TRUST FUND			555,610
FROM PERMIT FEE TRUST FUND			399,728
1901 OTHER PERSONAL SERVICES			
FROM FEDERAL GRANTS TRUST FUND			250,340
1902 EXPENSES			
FROM INLAND PROTECTION TRUST FUND			47,212
FROM FEDERAL GRANTS TRUST FUND			153,542
FROM PERMIT FEE TRUST FUND			48,246
1904 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM FEDERAL GRANTS TRUST FUND			1,000
FROM PERMIT FEE TRUST FUND			1,000
1906 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM FEDERAL GRANTS TRUST FUND			1,808
FROM GRANTS AND DONATIONS TRUST FUND . . .			30
1907 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM FEDERAL GRANTS TRUST FUND			2,852
FROM PERMIT FEE TRUST FUND			2,413
1909 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY			

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UNITED STATES DEPARTMENT OF ENERGY SPECIAL PROJECTS
FROM FEDERAL GRANTS TRUST FUND 847,000

TOTAL: UTILITIES SITING AND COORDINATION
FROM TRUST FUNDS 2,310,781

TOTAL POSITIONS 13.00
TOTAL ALL FUNDS 2,310,781

PROGRAM: LAW ENFORCEMENT

ENVIRONMENTAL INVESTIGATION

APPROVED SALARY RATE 3,169,159

1911 SALARIES AND BENEFITS POSITIONS 62.50
FROM GENERAL REVENUE FUND 1,489,164
FROM COASTAL PROTECTION TRUST FUND 675,113
FROM INLAND PROTECTION TRUST FUND 793,447
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 1,400,000

1912 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND 120,000

1913 EXPENSES
FROM COASTAL PROTECTION TRUST FUND 170,344
FROM INLAND PROTECTION TRUST FUND 861,421

1914 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND 67,178

1915 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND 201,350

1916 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND 50,000

1917 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND 17,558
FROM INLAND PROTECTION TRUST FUND 247,846

1918 SPECIAL CATEGORIES
OVERTIME
FROM COASTAL PROTECTION TRUST FUND 50,400
FROM INLAND PROTECTION TRUST FUND 50,400

1919 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 130,134

1920 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM COASTAL PROTECTION TRUST FUND 21,465
FROM INLAND PROTECTION TRUST FUND 31,490

1921 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 3,558
FROM INLAND PROTECTION TRUST FUND 2,931

TOTAL: ENVIRONMENTAL INVESTIGATION
FROM GENERAL REVENUE FUND 1,509,345
FROM TRUST FUNDS 4,894,635

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TOTAL POSITIONS 62.50
TOTAL ALL FUNDS 6,403,980

PATROL ON STATE LANDS

APPROVED SALARY RATE 3,918,484

1923 SALARIES AND BENEFITS POSITIONS 93.00
FROM LAND ACQUISITION TRUST FUND 5,748,794

1924 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 42,639

1925 EXPENSES
FROM LAND ACQUISITION TRUST FUND 266,853

1926 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 137,350

1927 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM LAND ACQUISITION TRUST FUND 347,901

1928 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM FEDERAL GRANTS TRUST FUND 300,000
FROM LAND ACQUISITION TRUST FUND 361,218

1929 SPECIAL CATEGORIES
OVERTIME
FROM LAND ACQUISITION TRUST FUND 115,550

1930 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 70,568
FROM LAND ACQUISITION TRUST FUND 132,092

1931 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM LAND ACQUISITION TRUST FUND 95,462

1932 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 7,659,811

TOTAL POSITIONS 93.00
TOTAL ALL FUNDS 7,659,811

EMERGENCY RESPONSE

APPROVED SALARY RATE 1,474,883

1933 SALARIES AND BENEFITS POSITIONS 28.00
FROM COASTAL PROTECTION TRUST FUND 1,325,211
FROM INLAND PROTECTION TRUST FUND 524,628

1934 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND 205,411

1935 EXPENSES
FROM COASTAL PROTECTION TRUST FUND 164,815
FROM INLAND PROTECTION TRUST FUND 67,190

1936 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND 7,818

SECTION 5
SPECIFIC
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1937 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND 88,594

1938 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM COASTAL PROTECTION TRUST FUND 1,071,027

1939 SPECIAL CATEGORIES
ON-CALL FEES
FROM COASTAL PROTECTION TRUST FUND 98,902

1940 SPECIAL CATEGORIES
PAYMENTS FOR RESTORATION AND DAMAGE
FROM COASTAL PROTECTION TRUST FUND 50,000

1941 SPECIAL CATEGORIES
ABANDONED DRUM REMOVAL AND DISPOSAL
FROM COASTAL PROTECTION TRUST FUND 150,000

1942 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 130,876

1943 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 284,759

1944 SPECIAL CATEGORIES
TRANSFER TO MARINE RESOURCES CONSERVATION TRUST FUND IN THE FISH AND WILDLIFE CONSERVATION COMMISSION
FROM COASTAL PROTECTION TRUST FUND 11,697,242

1945 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 15,878,455

TOTAL POSITIONS 28.00
TOTAL ALL FUNDS 15,878,455

FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES

APPROVED SALARY RATE 9,276,640

1946 SALARIES AND BENEFITS POSITIONS 213.50
FROM ADMINISTRATIVE TRUST FUND 9,472,133
FROM MARINE RESOURCES CONSERVATION TRUST FUND 611,756
FROM NON-GAME WILDLIFE TRUST FUND 547,968
FROM STATE GAME TRUST FUND 1,130,994
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 361,824

1947 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 269,527
FROM MARINE RESOURCES CONSERVATION TRUST FUND 209,000
FROM NON-GAME WILDLIFE TRUST FUND 11,171
FROM STATE GAME TRUST FUND 1,705,533

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1948 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 1,393,605
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 20,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 569,296
FROM NON-GAME WILDLIFE TRUST FUND 76,040
FROM SAVE THE MANATEE TRUST FUND 20,000
FROM STATE GAME TRUST FUND 638,196
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 121

1949 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 189,182
FROM NON-GAME WILDLIFE TRUST FUND 9,927
FROM STATE GAME TRUST FUND 26,492

1950 SPECIAL CATEGORIES
TRANSFER TO GRANT TRUST FUNDS - CASH FLOW LOANS
FROM STATE GAME TRUST FUND 12,500,000

1951 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 536,514

1952 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 123,205

1953 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 22,018

1954 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 475,274
FROM MARINE RESOURCES CONSERVATION TRUST FUND 21,149
FROM NON-GAME WILDLIFE TRUST FUND 18,548
FROM STATE GAME TRUST FUND 218,900

1955 SPECIAL CATEGORIES
PAYMENT OF REWARDS
FROM ADMINISTRATIVE TRUST FUND 5,000

1956 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 58,114
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,241
FROM NON-GAME WILDLIFE TRUST FUND 2,262
FROM STATE GAME TRUST FUND 2,991
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 4,468

1957 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 3,120

1958 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY SERVICES - FISH AND WILDLIFE CONSERVATION COMMISSION
FROM ADMINISTRATIVE TRUST FUND 2,177,974
FROM MARINE RESOURCES CONSERVATION TRUST FUND 360,022

1959 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

SECTION 5
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APPROPRIATION

FROM ADMINISTRATIVE TRUST FUND		73,982
FROM MARINE RESOURCES CONSERVATION TRUST FUND		5,931
FROM NON-GAME WILDLIFE TRUST FUND		5,485
FROM STATE GAME TRUST FUND		4,165
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		2,829
1960 SPECIAL CATEGORIES		
CONTRACT AND GRANT REIMBURSED ACTIVITIES		
FROM ADMINISTRATIVE TRUST FUND		1,157,000
FROM FEDERAL GRANTS TRUST FUND		390,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		150,000
1961 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM ADMINISTRATIVE TRUST FUND		2,000
TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES		
FROM TRUST FUNDS		35,584,957
TOTAL POSITIONS	213.50	
TOTAL ALL FUNDS		35,584,957

PROGRAM: LAW ENFORCEMENT

FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

APPROVED SALARY RATE 39,189,583

1962 SALARIES AND BENEFITS POSITIONS	901.50	
FROM GENERAL REVENUE FUND	31,030,161	
FROM FEDERAL GRANTS TRUST FUND		1,341,035
FROM MARINE RESOURCES CONSERVATION TRUST FUND		19,515,096
FROM STATE GAME TRUST FUND		1,945,124
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		2,007,247
1963 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
1964 EXPENSES		
FROM GENERAL REVENUE FUND	1,648,910	
FROM FEDERAL GRANTS TRUST FUND		6,463,721
FROM MARINE RESOURCES CONSERVATION TRUST FUND		3,727,251
FROM STATE GAME TRUST FUND		525,536
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		313,415

Of the funds in Specific Appropriations 1962 and 1964, $3,900,000 from the Marine Resources Conservation Trust Fund is contingent upon Senate Bill 1286 or similar legislation, relating to vessel registration fees, becoming a law.

1965 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		228,750
FROM MARINE RESOURCES CONSERVATION TRUST FUND		200,155
FROM STATE GAME TRUST FUND		1,290
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		100,000
1966 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,924,939
1967 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,954,831
1968 SPECIAL CATEGORIES		
ENHANCED WILDLIFE MANAGEMENT		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		272,166
1969 SPECIAL CATEGORIES		
800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE		
FROM GENERAL REVENUE FUND	110,675	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		44,760
1970 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	451,582	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		629,327
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,500
1971 SPECIAL CATEGORIES		
BOAT RAMP MAINTENANCE CATEGORY		
FROM FEDERAL GRANTS TRUST FUND		431,250
FROM MARINE RESOURCES CONSERVATION TRUST FUND		331,878
FROM STATE GAME TRUST FUND		143,750
1972 SPECIAL CATEGORIES		
OVERTIME		
FROM GENERAL REVENUE FUND	1,015,000	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,065,885
FROM STATE GAME TRUST FUND		128,447
1973 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	874,152	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		291,506
FROM STATE GAME TRUST FUND		112,903
1974 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	346,603	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		209,753
FROM STATE GAME TRUST FUND		59,100
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		20,160
1976 SPECIAL CATEGORIES		
BOATING AND WATERWAYS ACTIVITIES		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,051,025
1976A SPECIAL CATEGORIES		
BOATING AND WATERWAYS GRANTS		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		200,000
1976B SPECIAL CATEGORIES		
DERELICT VESSEL REMOVAL PROGRAM		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,550,000

The funds in Specific Appropriation 1976B are contingent upon Senate Bill 1286 or similar legislation, relating to vessel registration fees, becoming a law.

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1977 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 254,182
FROM FEDERAL GRANTS TRUST FUND 796
FROM MARINE RESOURCES CONSERVATION TRUST FUND 93,855
FROM STATE GAME TRUST FUND 13,904
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 13,587

1978 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 1,471,853
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 1,812,772

1981 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA BOATING IMPROVEMENT PROGRAM
FROM MARINE RESOURCES CONSERVATION TRUST FUND 5,350,000
FROM STATE GAME TRUST FUND 1,250,000

TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT
FROM GENERAL REVENUE FUND 35,835,475
FROM TRUST FUNDS 64,986,120

TOTAL POSITIONS 901.50
TOTAL ALL FUNDS 100,821,595

PROGRAM: WILDLIFE

HUNTING AND GAME MANAGEMENT

APPROVED SALARY RATE 1,899,601

1982 SALARIES AND BENEFITS POSITIONS 45.00
FROM FEDERAL GRANTS TRUST FUND 622,297
FROM STATE GAME TRUST FUND 1,548,330
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 465,217

1983 OTHER PERSONAL SERVICES
FROM STATE GAME TRUST FUND 272,303

From the funds in Specific Appropriation 1983, $210,000 is provided to compensate trappers for the removal of nuisance alligators. This amount shall be divided equally between the agency's five regions and each regional share shall be used exclusively to compensate trappers who are assigned to that region.

1984 EXPENSES
FROM STATE GAME TRUST FUND 567,331
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,852

1985 OPERATING CAPITAL OUTLAY
FROM STATE GAME TRUST FUND 15,260

1986 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT

SECTION 5
SPECIFIC
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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
CONTRACTED SERVICES
FROM STATE GAME TRUST FUND 321,800

1988A SPECIAL CATEGORIES
TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION
FROM STATE GAME TRUST FUND 160,000

1989 SPECIAL CATEGORIES
PUBLIC DOVE FIELD DEVELOPMENT
FROM STATE GAME TRUST FUND 49,000

1990 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE GAME TRUST FUND 41,473
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,245

1991 SPECIAL CATEGORIES
WILDLIFE MANAGEMENT AREA USER PAY
FROM STATE GAME TRUST FUND 638,266

1992 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

1993 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 752,029
FROM GRANTS AND DONATIONS TRUST FUND . . . 129,450
FROM STATE GAME TRUST FUND 30,000

1994 SPECIAL CATEGORIES
WILD TURKEY PROJECTS
FROM STATE GAME TRUST FUND 300,000

1994A FIXED CAPITAL OUTLAY
NEW AND EXPANDED MAINTENANCE AND STORAGE FACILITIES
FROM FEDERAL GRANTS TRUST FUND 51,717

TOTAL: HUNTING AND GAME MANAGEMENT
FROM TRUST FUNDS 6,151,792

TOTAL POSITIONS 45.00
TOTAL ALL FUNDS 6,151,792

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

APPROVED SALARY RATE 13,189,395

1995 SALARIES AND BENEFITS POSITIONS 325.50
FROM FEDERAL GRANTS TRUST FUND 2,508,111
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 218,499
FROM LAND ACQUISITION TRUST FUND 382,622
FROM MARINE RESOURCES CONSERVATION TRUST FUND 544,543
FROM NON-GAME WILDLIFE TRUST FUND 1,798,186

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	FROM SAVE THE MANATEE TRUST FUND	812,784
	FROM STATE GAME TRUST FUND	5,723,788
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	5,311,195
1996	OTHER PERSONAL SERVICES	
	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
1997	EXPENSES	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	179,912
	FROM LAND ACQUISITION TRUST FUND	89,831
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	112,490
	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
1998	AID TO LOCAL GOVERNMENTS	
	MANATEE PROTECTION PLANNING GRANTS	
	FROM SAVE THE MANATEE TRUST FUND	68,185
1999	OPERATING CAPITAL OUTLAY	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	2,500
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	12,000
	FROM NON-GAME WILDLIFE TRUST FUND	29,246
	FROM SAVE THE MANATEE TRUST FUND	13,800
	FROM STATE GAME TRUST FUND	95,074
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	17,000
2000	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	24,733
2001	SPECIAL CATEGORIES	
	ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS	
	FROM STATE GAME TRUST FUND	37,300
2002	SPECIAL CATEGORIES	
	ENHANCED WILDLIFE MANAGEMENT	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	5,102,519
2003	SPECIAL CATEGORIES	
	NON-CARL WILDLIFE MANAGEMENT	
	FROM STATE GAME TRUST FUND	6,398,292
2004	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	22,013
	FROM LAND ACQUISITION TRUST FUND	37,731
	FROM NON-GAME WILDLIFE TRUST FUND	42,116
	FROM SAVE THE MANATEE TRUST FUND	21,864
	FROM STATE GAME TRUST FUND	49,334
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	68,626

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2005	SPECIAL CATEGORIES	
	LAKE RESTORATION	
	FROM STATE GAME TRUST FUND	8,540,291
2006	SPECIAL CATEGORIES	
	GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6	
	FROM FEDERAL GRANTS TRUST FUND	1,291,701
2007	SPECIAL CATEGORIES	
	LAND MANAGEMENT/SAVE OUR RIVERS	
	FROM STATE GAME TRUST FUND	298,412
2008	SPECIAL CATEGORIES	
	MARINE RESEARCH GRANTS	
	FROM FEDERAL GRANTS TRUST FUND	27,500
2009	SPECIAL CATEGORIES	
	DUCKS UNLIMITED MARSH PROJECT	
	FROM STATE GAME TRUST FUND	106,792
2010	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	2,311
	FROM LAND ACQUISITION TRUST FUND	2,425
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	1,290
	FROM NON-GAME WILDLIFE TRUST FUND	19,512
	FROM SAVE THE MANATEE TRUST FUND	5,361
	FROM STATE GAME TRUST FUND	93,698
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	47,325
2011	SPECIAL CATEGORIES	
	INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	2,280,122
2012	SPECIAL CATEGORIES	
	HABITAT RESTORATION	
	FROM LAND ACQUISITION TRUST FUND	4,428,383
2013	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND	1,912
	FROM LAND ACQUISITION TRUST FUND	3,171
	FROM MARINE RESOURCES CONSERVATION TRUST FUND	2,058
	FROM NON-GAME WILDLIFE TRUST FUND	17,418
	FROM SAVE THE MANATEE TRUST FUND	6,999
	FROM STATE GAME TRUST FUND	68,770
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	45,150
2014	SPECIAL CATEGORIES	
	HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM	
	FROM FEDERAL GRANTS TRUST FUND	2,500,000
2015	SPECIAL CATEGORIES	
	GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS	
	FROM STATE GAME TRUST FUND	556,000
2016	SPECIAL CATEGORIES	
	CONTRACT AND GRANT REIMBURSED ACTIVITIES	
	FROM FEDERAL GRANTS TRUST FUND	7,695,553
	FROM GRANTS AND DONATIONS TRUST FUND	562,361
	FROM NON-GAME WILDLIFE TRUST FUND	91,652
	FROM STATE GAME TRUST FUND	165,201

SECTION 5
SPECIFIC
APPROPRIATION

2017 FIXED CAPITAL OUTLAY
LAKE RESTORATION
FROM STATE GAME TRUST FUND 2,000,000

2018 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY
ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS,
STATEWIDE
FROM FLORIDA FOREVER PROGRAM TRUST FUND . 4,500,000

2019 FIXED CAPITAL OUTLAY
MITIGATION PARK LAND ACQUISITION
FROM LAND ACQUISITION TRUST FUND 10,000,000

2020 FIXED CAPITAL OUTLAY
WILDLIFE MANAGEMENT AREA LAND IMPROVEMENTS
FROM STATE GAME TRUST FUND 1,785,000

TOTAL: HABITAT AND SPECIES CONSERVATION
FROM TRUST FUNDS 81,187,902

TOTAL POSITIONS 325.50
TOTAL ALL FUNDS 81,187,902

PROGRAM: FRESHWATER FISHERIES

FRESHWATER FISHERIES MANAGEMENT

APPROVED SALARY RATE 2,777,082

2021 SALARIES AND BENEFITS POSITIONS 69.50
FROM FEDERAL GRANTS TRUST FUND 1,979,577
FROM STATE GAME TRUST FUND 1,600,286
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 127,932

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 405,760
FROM STATE GAME TRUST FUND 304,903
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 20,000

2024 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 15,000
FROM STATE GAME TRUST FUND 32,822
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 25,000

2025 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS,
MOTORS, AND TRAILERS
FROM FEDERAL GRANTS TRUST FUND 33,425
FROM STATE GAME TRUST FUND 11,142

2026 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 60,819

2027 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 31,056
FROM STATE GAME TRUST FUND 40,048

2028 SPECIAL CATEGORIES
LAKE RESTORATION
FROM STATE GAME TRUST FUND 695,000

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2029 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE GAME TRUST FUND 90,808
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 5,087

2030 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM STATE GAME TRUST FUND 350,000

2031 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

2032 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 1,045,500

TOTAL: FRESHWATER FISHERIES MANAGEMENT
FROM TRUST FUNDS 6,969,763

TOTAL POSITIONS 69.50
TOTAL ALL FUNDS 6,969,763

PROGRAM: MARINE FISHERIES

MARINE FISHERIES MANAGEMENT

APPROVED SALARY RATE 1,409,791

2033 SALARIES AND BENEFITS POSITIONS 30.00
FROM FEDERAL GRANTS TRUST FUND 515,429
FROM MARINE RESOURCES CONSERVATION TRUST
FUND 1,311,276

2034 OTHER PERSONAL SERVICES
FROM MARINE RESOURCES CONSERVATION TRUST
FUND 179,629

2035 EXPENSES
FROM MARINE RESOURCES CONSERVATION TRUST
FUND 428,344

2036 OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION TRUST
FUND 846

2037 SPECIAL CATEGORIES
AQUATIC RESOURCES EDUCATION
FROM MARINE RESOURCES CONSERVATION TRUST
FUND 327,935

2038 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MARINE RESOURCES CONSERVATION TRUST
FUND 40,640

2039 SPECIAL CATEGORIES
GULF STATES MARINE FISHERIES
FROM MARINE RESOURCES CONSERVATION TRUST
FUND 22,500

2040 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND 575,313

2041 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

SECTION 5
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FROM GENERAL REVENUE FUND	467	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		19,252

2042 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM FEDERAL GRANTS TRUST FUND		1,198
FROM MARINE RESOURCES CONSERVATION TRUST FUND		10,915

2043 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES

FROM FEDERAL GRANTS TRUST FUND		1,037,470
FROM GRANTS AND DONATIONS TRUST FUND . . .		12,530

2044 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM

FROM GENERAL REVENUE FUND	1,000,000	
FROM FEDERAL GRANTS TRUST FUND		400,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND		300,000

From the funds in Specific Appropriation 2044, $1,000,000 from non-recurring general revenue funds is provided for the Vandenburg artificial reef program off the Florida Keys.

TOTAL: MARINE FISHERIES MANAGEMENT

FROM GENERAL REVENUE FUND	1,000,467	
FROM TRUST FUNDS		5,183,277
TOTAL POSITIONS	30.00	
TOTAL ALL FUNDS		6,183,744

PROGRAM: RESEARCH

FISH AND WILDLIFE RESEARCH INSTITUTE

APPROVED SALARY RATE 14,318,428

2045 SALARIES AND BENEFITS POSITIONS 331.50

FROM GENERAL REVENUE FUND	3,711,358	
FROM FEDERAL GRANTS TRUST FUND		2,256,566
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		185,176
FROM GRANTS AND DONATIONS TRUST FUND . . .		531
FROM MARINE RESOURCES CONSERVATION TRUST FUND		6,464,642
FROM NON-GAME WILDLIFE TRUST FUND		1,066,027
FROM SAVE THE MANATEE TRUST FUND		913,939
FROM STATE GAME TRUST FUND		3,147,624
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		157,712

2046 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	856,000	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		60,867
FROM MARINE RESOURCES CONSERVATION TRUST FUND		4,393,475
FROM NON-GAME WILDLIFE TRUST FUND		562,491
FROM SAVE THE MANATEE TRUST FUND		735,000
FROM STATE GAME TRUST FUND		108,693

Of the funds in Specific Appropriation 2046, $1,150,000 from the Marine Resources Conservation Trust Fund for the rescue and rehabilitation of manatees as authorized in section 370.0603(3)(a), Florida Statutes, is contingent upon passage of Senate Bill 1286 or similar legislation, relating to vessel registration fees, becoming a law.

SECTION 5
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APPROPRIATION

2047 EXPENSES

FROM GENERAL REVENUE FUND	574,169	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		86,245
FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,991,872
FROM NON-GAME WILDLIFE TRUST FUND		413,459
FROM SAVE THE MANATEE TRUST FUND		431,088
FROM STATE GAME TRUST FUND		497,745
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		3,952

2048 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND	29,740	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		255,566
FROM NON-GAME WILDLIFE TRUST FUND		11,736
FROM SAVE THE MANATEE TRUST FUND		13,000
FROM STATE GAME TRUST FUND		57,068

2049 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES

FROM MARINE RESOURCES CONSERVATION TRUST FUND		25,000

2050 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS

FROM MARINE RESOURCES CONSERVATION TRUST FUND		84,434
FROM SAVE THE MANATEE TRUST FUND		7,000
FROM STATE GAME TRUST FUND		34,283

2051 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT

FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		89,435

2052 SPECIAL CATEGORIES
MANATEE RESEARCH - MANATEE AVOIDANCE TECHNOLOGY

FROM MARINE RESOURCES CONSERVATION TRUST FUND		84,000

2052A SPECIAL CATEGORIES
REEF GROUNDING SETTLEMENT

FROM MARINE RESOURCES CONSERVATION TRUST FUND		912

2053 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS

FROM FEDERAL GRANTS TRUST FUND		5,969,255
FROM GRANTS AND DONATIONS TRUST FUND . . .		534,941
FROM MARINE RESOURCES CONSERVATION TRUST FUND		6,515,122

2054 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	38,726	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		1,502
FROM MARINE RESOURCES CONSERVATION TRUST FUND		107,971
FROM NON-GAME WILDLIFE TRUST FUND		17,883
FROM SAVE THE MANATEE TRUST FUND		9,486
FROM STATE GAME TRUST FUND		36,527
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,448

2055 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

SECTION 5
SPECIFIC
APPROPRIATION

FROM GENERAL REVENUE FUND	33,228	
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND		1,658
FROM MARINE RESOURCES CONSERVATION TRUST FUND		78,248
FROM NON-GAME WILDLIFE TRUST FUND		9,892
FROM SAVE THE MANATEE TRUST FUND		8,180
FROM STATE GAME TRUST FUND		25,810
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,411

2056 SPECIAL CATEGORIES
RED TIDE RESEARCH
FROM GENERAL REVENUE FUND 4,014,499

2057 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM STATE GAME TRUST FUND 1,259,000

2058 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES

FROM FEDERAL GRANTS TRUST FUND		400,000
FROM GRANTS AND DONATIONS TRUST FUND		125,000
FROM NON-GAME WILDLIFE TRUST FUND		115,112
FROM STATE GAME TRUST FUND		500,000

2058A FIXED CAPITAL OUTLAY
CONSTRUCT/REPAIR MARINE FISH HATCHERIES
FROM GENERAL REVENUE FUND 500,000

TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE		
FROM GENERAL REVENUE FUND	9,757,720	
FROM TRUST FUNDS		40,857,984
TOTAL POSITIONS	331.50	
TOTAL ALL FUNDS		50,615,704

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 2070 through 2082, 2098, 2099, 2100, 2102 through 2107, 2109 through 2119, and 2159 through 2169 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 102,010,256

2059 SALARIES AND BENEFITS POSITIONS	1,803.00	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		131,929,268
FROM TRANSPORTATION DISADVANTAGED TRUST FUND		880,972
2060 OTHER PERSONAL SERVICES		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		699,246
FROM TRANSPORTATION DISADVANTAGED TRUST FUND		40,000
2061 EXPENSES		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		8,166,410
FROM TRANSPORTATION DISADVANTAGED TRUST FUND		358,155
2062 OPERATING CAPITAL OUTLAY		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		1,183,314
FROM TRANSPORTATION DISADVANTAGED TRUST FUND		10,000
2063 SPECIAL CATEGORIES		
CONSULTANT FEES		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		10,653,334

From the funds in Specific Appropriation 2063, $75,000 in non-recurring funds is provided to fund the development of a mechanism for tracking the implementation of an adopted regional growth vision that integrates transportation and land use planning.

2064 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		3,313,568
FROM TRANSPORTATION DISADVANTAGED TRUST FUND		308,000
2065 SPECIAL CATEGORIES		
HUMAN RESOURCES DEVELOPMENT		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		1,201,969
2066 SPECIAL CATEGORIES		
OVERTIME		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		126,249
2067 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		25,795
2068 SPECIAL CATEGORIES		
GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED		
FROM TRANSPORTATION DISADVANTAGED TRUST FUND		40,395,709
2069 SPECIAL CATEGORIES		
GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED - MEDICAID SERVICES		
FROM TRANSPORTATION DISADVANTAGED TRUST FUND		72,939,505
2070 FIXED CAPITAL OUTLAY		
TRANSPORTATION PLANNING CONSULTANTS		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		51,177,144
2071 FIXED CAPITAL OUTLAY		
AVIATION DEVELOPMENT/GRANTS		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		216,016,689

From funds in Specific Appropriation 2071, $4,500,000 in non-recurring funds is provided for airport operational infrastructure improvements for airports within a plan established pursuant to section 163.3245, Florida Statutes.

2072 FIXED CAPITAL OUTLAY		
PUBLIC TRANSIT DEVELOPMENT/GRANTS		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		296,668,405
2073 FIXED CAPITAL OUTLAY		
RIGHT-OF-WAY LAND ACQUISITION		
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND		538,282,666
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND		108,896,024

SECTION 5
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APPROPRIATION

2074 FIXED CAPITAL OUTLAY
SEAPORT - ECONOMIC DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 15,000,000

The Department of Transportation and the Port of Palm Beach are authorized to enter into a public-private partnership by October 1, 2008, which may result in the issuance of private activity bonds in an amount not to exceed the revenues generated by the private development. It is the Legislature's intent that the partnership shall fund improvements that achieve a public purpose by maximizing the use of the Strategic Intermodal Highway System to relieve traffic congestion and promote economic development.

2075 FIXED CAPITAL OUTLAY
SEAPORTS ACCESS PROGRAM
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 10,000,000

2076 FIXED CAPITAL OUTLAY
SEAPORT GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 31,877,045

2077 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 265,343,649

From the funds in Specific Appropriation 2077, $700,000 in non-recurring funds is provided for a study to determine the feasibility of a rail corridor along U.S. Highway 27 extending from western Miami-Dade to the City of South Bay and a study to determine the feasibility of a rail corridor in the Tampa Bay area, including Pasco, Pinellas, Hillsborough, Manatee, and Sarasota counties.

2078 FIXED CAPITAL OUTLAY
INTERMODAL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,329,270

2079 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 439,909,752
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 1,790,400

From the funds in Specific Appropriation 2079, $750,000 in non-recurring funds from the State Transportation Trust Fund is provided for a preliminary development and environmental study for replacing the Veterans Bridge in Volusia County.

From the funds in Specific Appropriation 2079, $7,500,000 in non-recurring funds from the State Transportation Trust Fund is provided for the development of a connector road from County Road 388 to State Road 77.

2080 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 45,076,952
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 594,131

2081 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 28,339,377

2082 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 142,115,943

SECTION 5
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TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT
FROM TRUST FUNDS 2480,648,941

TOTAL POSITIONS 1,803.00
TOTAL ALL FUNDS 2480,648,941

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

APPROVED SALARY RATE 174,746,473

2083 SALARIES AND BENEFITS POSITIONS 4,070.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 231,066,529

2084 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,641,552

2085 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 27,150,956

2086 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,354,870

2087 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,136,489

2088 SPECIAL CATEGORIES
FAIRBANKS HAZARDOUS WASTE SITE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 180,600

2089 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,953,905

2090 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,102,965

2091 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,592,491

2092 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,903,493

2093 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 218,240

2094 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 30,989,811

2095 SPECIAL CATEGORIES
HIGHWAY BEAUTIFICATION GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 500,000

SECTION 5
SPECIFIC
APPROPRIATION

2096 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 818,831

2097 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,869,179

2098 FIXED CAPITAL OUTLAY
STATE INFRASTRUCTURE BANK LOAN REPAYMENTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,940,146

2099 FIXED CAPITAL OUTLAY
SMALL COUNTY RESURFACE ASSISTANCE PROGRAM
(SCRAP)
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 25,000,248

2100 FIXED CAPITAL OUTLAY
SMALL COUNTY OUTREACH PROGRAM (SCOP)
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 43,076,249

2102 FIXED CAPITAL OUTLAY
COUNTY TRANSPORTATION PROGRAMS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 43,531,206

From the funds in Specific Appropriation 2102, $10,000,000 in non-recurring funds in the State Transportation Trust Fund is provided for an infrastructure pilot program to assist counties and school districts with infrastructure issues. Counties that have at least a 3.75 percent average enrollment growth for the last 5 years in school are eligible to participate in this pilot program. Counties that receive funds under this pilot 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 pilot 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 pilot program.

2103 FIXED CAPITAL OUTLAY
BOND GUARANTEE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 500,000

2104 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 288,088,463

From funds in Specific Appropriation 2104, an amount not to exceed $8,440,000 may be used for the Road Ranger program.

From the funds in Specific Appropriation 2104, 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 expressed legislative authority.

2105 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 986,848,223

No funds from Specific Appropriation 2105 are provided for the purpose of funding roadside beautification programs.

2106 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 707,369,363

From the funds in Specific Appropriation 2106, $2,800,000 in non-recurring funds is provided for Phase II of the widening of Tenth Street from Edgewater to New Smyrna Beach.

From the funds in Specific Appropriation 2106, the department shall fully fund the costs associated with the southbound turning lane improvements at the intersection of U.S. Highway 27 and Lake June Road in Lake Placid.

No funds from Specific Appropriation 2106 are provided for the purpose of funding roadside beautification programs.

2107 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 252,973,149
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 3,508,778

2108 FIXED CAPITAL OUTLAY
ENVIRONMENTAL SITE RESTORATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,490,000

2109 FIXED CAPITAL OUTLAY
HIGHWAY SAFETY CONSTRUCTION/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 100,379,969

From funds in Specific Appropriation 2109, $1,200,000 in non-recurring funds is provided for electrical undergrounding and bicycle, pedestrian, and vehicular safety improvements along State Road 426 in Orange County. This funding shall be matched with 50 percent from non-state funds.

2110 FIXED CAPITAL OUTLAY
RESURFACING
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 955,143,023

2111 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 269,239,880
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 51,770,511

2112 FIXED CAPITAL OUTLAY
CONTRACT MAINTENANCE WITH THE DEPARTMENT
OF CORRECTIONS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,521,000

2113 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - TRANSPORTATION
EXPRESSWAY AUTHORITIES

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APPROPRIATION
FROM TOLL FACILITIES REVOLVING TRUST FUND 42,830,000

2114 FIXED CAPITAL OUTLAY
MATERIALS AND RESEARCH
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 14,741,252

2115 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 36,750,000

From the funds in Specific Appropriation 2115, $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 2115 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.

2116 FIXED CAPITAL OUTLAY
BRIDGE INSPECTION
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 11,629,000

From the funds in Specific Appropriation 2116, $500,000 in non-recurring funds is provided to fund a pilot program for bridge monitoring by remote sensor.

2117 FIXED CAPITAL OUTLAY
TRAFFIC ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 49,917,972

2118 FIXED CAPITAL OUTLAY
LOCAL GOVERNMENT REIMBURSEMENT
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 70,770,705

2119 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 5,259,849

TOTAL: PROGRAM: HIGHWAY OPERATIONS
FROM TRUST FUNDS 4311,758,897

TOTAL POSITIONS 4,070.00
TOTAL ALL FUNDS 4311,758,897

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 41,332,807

2120 SALARIES AND BENEFITS POSITIONS 800.00
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 54,126,131

From the funds in Specific Appropriation 2120, $137,112 and one existing vacant position shall be provided to the Florida Transportation Commission to provide staff support for the Commission's oversight of transportation authorities as required by section 20.23, Florida Statutes.

2121 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 2,057,190

SECTION 5
SPECIFIC
APPROPRIATION
2122 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 7,970,800

2123 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 308,931

2124 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 360,800

2125 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,372,430

2126 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 4,696,278

2127 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 215,852

2128 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 101,820

2129 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 8,865,189

2130 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE - OTHER
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 2,188,903

2131 SPECIAL CATEGORIES
TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR EVERGLADES RESTORATION
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 2,000,000

2132 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF REVENUE FOR HIGHWAY TAX COMPLIANCE
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 200,000

2133 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 445,100

2134 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 3,015,202
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 5,742

2135 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE

SECTION 5
SPECIFIC
APPROPRIATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,248,989

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 90,179,357

TOTAL POSITIONS 800.00
TOTAL ALL FUNDS 90,179,357

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 13,119,817

2137 SALARIES AND BENEFITS POSITIONS 283.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,444,822

2138 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 100,000

2139 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 10,352,025

2140 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,992,972

2140A LUMP SUM
MAINFRAME CONSOLIDATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 194,000

2141 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,545,382

2142 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 69,003

2143 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 76,480

2144 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 582,972

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 40,357,656

TOTAL POSITIONS 283.00
TOTAL ALL FUNDS 40,357,656

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

APPROVED SALARY RATE 22,372,759

2145 SALARIES AND BENEFITS POSITIONS 492.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 29,489,621

2146 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,239,952

SECTION 5
SPECIFIC
APPROPRIATION
2147 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 25,739,199

2148 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 813,804

2149 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 89,800

2150 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,344,028

2151 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 21,896,772

2152 SPECIAL CATEGORIES
TOLL OPERATION CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 77,774,257

2153 SPECIAL CATEGORIES
PAYMENT TO EXPRESSWAY AUTHORITIES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 12,652,281

From the funds in Specific Appropriation 2153, $2,000,000 in non-recurring funds from the State Transportation Trust Fund is provided for the Tampa Bay Area Regional Transportation Authority.

2154 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 19,117,511

2155 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 250,245

2156 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 200,000

2157 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,487,987

2158 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 327,532

2159 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 40,844,008

From funds in Specific Appropriation 2159, an amount not to exceed $2,560,000 may be used for the Road Ranger program.

2160 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION

SECTION 5
SPECIFIC
APPROPRIATION

FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND 13,533,348
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 511,454,544
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 4,255,625

2161 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 2,037,950

2162 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND 1,034,400
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 66,942,165
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 901,051

2163 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 87,844,831

2164 FIXED CAPITAL OUTLAY
RESURFACING
FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND 55,119,475

2165 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND 2,179,887
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 7,000

2166 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND 9,078,794
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 101,768,957
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 21,080,705

2167 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 9,140,622

2168 FIXED CAPITAL OUTLAY
TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 123,081,751

Funds from Specific Appropriation 2168 are appropriated with the contingency that the Florida Turnpike Enterprise shall not under any circumstances contract with any vendor for the retail sale of fuel along the Florida Turnpike if such contract is negotiated or bid together with any other contract, including, but not limited to, the retail sale of food, maintenance services, or construction, with the exception that any contract for the retail sale of fuel along the Florida Turnpike shall be bid and contracted together with the retail sale of food at any convenience store attached to the fuel station.

All contracts related to service plazas including, but not limited to, the sale of fuel, the retail sale of food, maintenance services, or construction, except for services provided as defined in section 287.055(2)(a), Florida Statutes, awarded by the Florida Turnpike Enterprise, shall be procured through individual competitive solicitation and awarded to the most cost-effective responder. This language does not prohibit the award of more than one individual contract to a single vendor if he or she submits the most cost-effective response.

2169 FIXED CAPITAL OUTLAY
TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 34,943,468

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL: FLORIDA'S TURNPIKE ENTERPRISE
FROM TRUST FUNDS 1280,671,570

TOTAL POSITIONS 492.00
TOTAL ALL FUNDS 1280,671,570

TOTAL OF SECTION 5 POSITIONS 17,103.75

FROM GENERAL REVENUE FUND 277,201,679

FROM TRUST FUNDS 11814,763,782

TOTAL ALL FUNDS 12091,965,461

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 the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

PROGRAM: ADMINISTERED FUNDS

2169A LUMP SUM
EXECUTIVE AIRCRAFT POOL RATE SUPPLEMENT
FROM GENERAL REVENUE FUND 1,050,864
FROM TRUST FUNDS 300,000

The funds in Specific Appropriation 2169A are to be proportionally distributed to state agencies based upon their prior year usage of the executive aircraft pool, to offset the cost of their use of executive aircraft.

2169B LUMP SUM
CASUALTY INSURANCE PREMIUM DEFICIT
FROM GENERAL REVENUE FUND 4,000,000
FROM TRUST FUNDS 2,000,000

The distribution of funds in Specific Appropriation 2169B to agencies for additional billings is contingent upon the Division of Risk Management demonstrating a cash deficit will occur in the Risk Management Trust Fund in Fiscal Year 2008-2009.

2173 LUMP SUM
REAL ESTATE CONSULTANT AND TENANT BROKER TRANSACTION FEES
FROM TRUST FUNDS 3,500,000

2174 LUMP SUM
HUMAN RESOURCES OUTSOURCING CONTINGENCY
FROM GENERAL REVENUE FUND 300,000

2174A LUMP SUM
STRENGTHENING DOMESTIC SECURITY
FROM TRUST FUNDS 186,739,442

Funds provided in Specific Appropriation 2174A 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 2008-2009 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with the approval of the Legislative Budget Commission.

SECTION 6
SPECIFIC
APPROPRIATION

Agency for Enterprise Information Technology	
Information Security Planning Sessions-sustainment	111,300
Sustainment Costs for Monitoring Center and Security Tools	67,000
Department of Agriculture and Consumer Services	
Sustainment of Training for Incident Management Teams, Urban Search and Rescue Task Forces, and Hazardous Materials Teams	81,600
FDACS Laboratory Equipment..(maint)	215,984
State Agriculture Response Team (SART) Sustainment	344,432
Maintenance of Mobile VACIS	490,000
Time Lapse Video Monitoring Equipment - Containers	106,170
Food and Agriculture Emergency Response Team Development	283,662
Department of Education	
K-12 Education - Communications	1,409,890
Exercises to Validate School District Safety Plans exercise Nims	160,000
Build-Out of Emergency Alert/Communications	899,190
K-12 Target Hardening and Access Control	4,046,644
Department of Environmental Protection	
CBRNE Capable Regional Forensics Response Team	102,500
Department of Financial Services, Division of State Fire Marshal	
USAR and HazMat Sustainment	2,982,726
MARC Unit Sustainment and Maintenance	616,810
USAR and HazMat Specialized Training	1,874,877
Critical Equipment Needs for USAR and HazMat	1,607,830
Basic Search and Rescue Training	257,500
Sustainment Training for Type II Technician Extrication Rescue Teams	544,631
Florida Fish and Wildlife Conservation Commission	
Statewide Waterborne Response Teams/Equip Buildout	820,328
Department of Health	
EMS Chemical Antidote Cache Sustainment	561,972
Expanding Hospital Surge Capacity	616,974
Hospital Hazard Vulnerability Assessment Project	527,360
Drinking Water Security Planning Sessions and Exercises	103,000
Radiological Detection Instruments	98,790
Radiological Instrument Calibration Resource	80,000
Hospital Perimeter Security and Facility Lockdown	1,030,000
Department of Highway Safety and Motor Vehicles	
Fingerprint Scanners - portable	2,550,000
Department of Law Enforcement	
Sustain RDSTF Planners	625,000
Forensic Response Team - Gap	1,011,756
SWAT and EOD Sustainment and enhancement	3,833,698
Regional Security Team - Sustainment	976,805
Technology for Aviation Equipment - Response & Support	1,580,024
Public Information Planning Session(s)	64,780
TAC PAKs	120,971
Maintain ThreatNet Module Within InSite	100,000
Statewide Connectivity/Regional Data Sharing Projects	1,268,167
Maintain ThreatCom	50,000
Software Maintenance Fees	35,000
8 Meta Data Managers/Regional Data Sharing Projects	1,497,218
Maintain and Enhance/Query Application	1,141,156
FLEX Architecture	919,000
Law Enforcement /Computer/Analytical Training	125,000
Law Enforcement Analyst Academies	256,905
Browser based FCIC/NCIC Validation Software	26,250
RDSTF LE Investigative & Intelligence Planning	175,000
Maintain and Enhance ISYS	4,600
Central FL Intelligence Exchange Contractual Services	225,000
Utilize Critical Infrastructure Planners	600,000
Capitol Complex Under Vehicle Surveillance Maintenance	10,500
Region 3 Intelligence Fusion Center - NE Florida	632,024
FAST - Future Analytical Strategies Today	100,000
Region 1 Fusion Center	304,000
Computer Forensic Equipment	195,287
Area Maritime Security Support - Blue Force - Automated Identification System	592,000
BusinesSafe Alert Messaging	8,631
Critical Infrastructure/Key Resource System Sustainment (Site Profiler)	187,470
Cyber Incident Response	150,000

SECTION 6
SPECIFIC
APPROPRIATION

Florida Fusion Center	167,400
Florida RDSTF Region 5 (Orlando) Data Integration Project FINDER	730,000
Homeland Security Intelligence Response Platform	1,500,000
LInX Regional Information Sharing Project - Gap & sustainment	510,000
Operation Liberty Shield	300,000
Region 1 Analysts Notebook	4,830
Region 1 Fla Law Enforcement eXchange (FLEX) Sustainment	251,000
Region 2 Data Fusion Analysts	200,000
Southeast Florida Virtual Fusion Center	820,000
Southwest Florida Fusion Center	500,000
Surveillance Equipment for Task Force Agents Assigned to Regional Domestic Security Task Force Investigations and Intelligence Cases	168,000
Tampa Bay Security Network	416,340
Tampa Bay Regional Operations Center Portable Radiation Detection Equipment	257,500
Domestic Security Public Information Officer Joint Information Center Workshop/Drill	153,750
Management & Administration Cost - LETPP Projects	467,440
Department of Management Services	
Florida Interoperability Network (FIN)-Operate/Maintain	3,968,936
Department of Transportation	
Video Maintenance/Weigh Stations	164,850
Mobile Radiological/Nuclear Detection System	400,000
Portable Radiation Detection Equipment	380,000
Department of Community Affairs	
Urban Security Initiative - Tampa	33,300,000
Urban Security Initiative - Miami	23,960,000
Urban Security Initiative - Orlando	24,261,726
Urban Security Initiative - Jacksonville	31,465,769
Urban Security Initiative - Ft Lauderdale	13,160,011
Citizen Corps (CC)	635,164
Metropolitan Medical Response System	2,248,547
Department of Community Affairs, Division of Emergency Management	
Sustain RDSTF Planners (shared with FDLE)	625,000
Sustain Planning, Training and Exercises - Local	3,404,750
Maintenance and Sustainment of EDICS Units	608,400
Sustain Planning, Training and Exercises - State	1,180,000
SAA Sustainment	1,122,617

Funds in Specific Appropriations 2174A for the Florida Interoperability Network shall be held in reserve and release is contingent upon the execution of agreements by the Department of Management Services with each recipient county specifying that ongoing system administration, operations and maintenance will be the responsibility of the county upon discontinuation of Federal funding.

Funds in Specific Appropriation 2174A for the Florida Law Enforcement Exchange (FLEX) shall be distributed to the recipient agency in a qualified expenditure category.

2175	LUMP SUM EMPLOYEE COMPENSATION AND BENEFITS		
	FROM GENERAL REVENUE FUND	15,532,842	
	FROM TRUST FUNDS		11,755,057
2175A	LUMP SUM STATE MATCH FOR FEDERAL FEMA FUNDING		
	FROM GENERAL REVENUE FUND	20,000,000	
2176	SPECIAL CATEGORIES ASSOCIATION DUES		
	FROM GENERAL REVENUE FUND	215,170	
2177	SPECIAL CATEGORIES DEFICIENCY		
	FROM GENERAL REVENUE FUND	400,000	
2178	SPECIAL CATEGORIES EMERGENCY		
	FROM GENERAL REVENUE FUND	250,000	

SECTION 6
SPECIFIC
APPROPRIATION

2179	SPECIAL CATEGORIES FLORIDA LAND AND WATER ADJUDICATORY COMMISSION - ADMINISTRATIVE APPEALS FROM GENERAL REVENUE FUND	4,756	
2180	SPECIAL CATEGORIES TRANSFER TO PLANNING AND BUDGETING SYSTEM TRUST FUND FROM GENERAL REVENUE FUND	5,330,656	
TOTAL:	PROGRAM: ADMINISTERED FUNDS FROM GENERAL REVENUE FUND	47,084,288	
	FROM TRUST FUNDS		204,294,499
	TOTAL ALL FUNDS		251,378,787

AGENCY FOR WORKFORCE INNOVATION

From the funds in Specific Appropriations 2181 through 2239, 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.

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 2,330,866

2181	SALARIES AND BENEFITS	POSITIONS	34.00	
	FROM GENERAL REVENUE FUND		269,444	
	FROM ADMINISTRATIVE TRUST FUND			3,018,981
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			179,703
2182	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND			20,000
2183	EXPENSES FROM GENERAL REVENUE FUND		16,358	
	FROM ADMINISTRATIVE TRUST FUND			825,191
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			55,071
2184	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND			23,463

SECTION 6
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APPROPRIATION

2185	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		120,000
2186	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	99	
	FROM ADMINISTRATIVE TRUST FUND		7,207
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		391
2187	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	291,465	
	FROM TRUST FUNDS		4,290,475
	TOTAL POSITIONS	34.00	
	TOTAL ALL FUNDS		4,581,940

AGENCY SUPPORT SERVICES

APPROVED SALARY RATE 8,330,419

2188	SALARIES AND BENEFITS	POSITIONS	149.50	
	FROM GENERAL REVENUE FUND		373,283	
	FROM ADMINISTRATIVE TRUST FUND			9,518,839
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			501,938
	FROM REVOLVING TRUST FUND			883,756
2189	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND			356,444
	FROM REVOLVING TRUST FUND			50,000
2190	EXPENSES FROM GENERAL REVENUE FUND		411,208	
	FROM ADMINISTRATIVE TRUST FUND			2,195,683
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			90,141
	FROM REVOLVING TRUST FUND			1,510,076
2191	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND		2,600	
	FROM ADMINISTRATIVE TRUST FUND			493,499
2192	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		205,692	
	FROM ADMINISTRATIVE TRUST FUND			1,785,210
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			300,000
	FROM REVOLVING TRUST FUND			946,300
2193	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		168	
	FROM ADMINISTRATIVE TRUST FUND			30,144
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			926
	FROM REVOLVING TRUST FUND			5,549

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2194 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

2195 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ADMINISTRATIVE TRUST FUND 72,484

TOTAL: AGENCY SUPPORT SERVICES
FROM GENERAL REVENUE FUND 994,639
FROM TRUST FUNDS 18,791,664

TOTAL POSITIONS 149.50
TOTAL ALL FUNDS 19,786,303

PROGRAM: WORKFORCE SERVICES

PROGRAM SUPPORT

It is the intent of the Legislature that the administration and delivery of workforce services and programs that are currently provided by agency employees working in One Stop Career Centers operated by the Regional Workforce Boards may be transferred from the Agency for Workforce Innovation to the Regional Workforce Boards. Such transfers shall only occur if the agency determines that the Regional Workforce Boards would more effectively and efficiently deliver services and if such transfers comply with applicable federal regulations. For all transfers made, the agency shall submit budget amendments pursuant to chapter 216, Florida Statutes, to move positions to the Executive Office of the Governor's reserve and realign the budget into the appropriate operating budget appropriation categories to implement the transfer of programs and service delivery to the Regional Workforce Boards.

From the funds in Specific Appropriations 2196 through 2239, 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 Fiscal Policy and Calendar Committee and the chairs of the House Policy and Budget Council and House Economic Expansion and Infrastructure Council.

From the funds provided in Specific Appropriation 2196 through 2199 and 2202 from the Employment Security Administration Trust Fund, up to $20,000,000 in federal Reed Act distributions may be provided to support the administration and operation of the state's public employment service offices through the statewide network of one-stop centers operated by regional workforce boards.

APPROVED SALARY RATE 23,915,132

2196 SALARIES AND BENEFITS POSITIONS 632.50
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 32,171,277
FROM WELFARE TRANSITION TRUST FUND 1,199,927
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 590,080

2197 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,476,885
FROM WELFARE TRANSITION TRUST FUND 65,313

2198 EXPENSES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 9,413,348

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FROM WELFARE TRANSITION TRUST FUND 1,105,389
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 62,078

2199 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 408,844

2199A SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE PROJECTS
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 100,000

Funds in Specific Appropriation 2199A are provided for the Connections Job Development Program.

2200 SPECIAL CATEGORIES
NON CUSTODIAL PARENT PROGRAM
FROM WELFARE TRANSITION TRUST FUND 1,416,000

From the funds provided in Specific Appropriation 2200, $750,000 from the Welfare Transition Trust Fund is provided for the Noncustodial Parent Program in Pinellas, Pasco and Hillsborough counties. The Pinellas Workforce Board (WorkNet) shall administer the funds, which shall be maintained as a single project for the three counties.

From the funds in Specific Appropriation 2200, $666,000 from the Welfare Transition Trust Fund is provided to continue Gulf Coast Community Care's current Noncustodial Parent Program in Miami-Dade County, which shall be administered by the South Florida Workforce Board.

2201 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 21,418,161
FROM WELFARE TRANSITION TRUST FUND 575,000
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 3,146,483

From the funds in Specific Appropriation 2201, $1,500,000 in non-recurring funding from the Special Employment Security Administration Trust Fund is provided to continue existing Banner Centers.

2202 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE BOARDS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 150,947,000
FROM WELFARE TRANSITION TRUST FUND 81,012,178
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,250,000

Funds provided in Specific Appropriation 2202 from the Welfare Transition Trust Fund shall be allocated for workforce services based on a plan approved by Workforce Florida, Inc. The plan shall identify funds provided for state-level and discretionary initiatives, and shall maximize funds distributed directly to the Regional Workforce Boards. The plan shall provide for equitable distribution of funds to the boards based on anticipated client caseload and the achievement of performance standards. Copies of the proposed allocation shall be provided to the chair of the Senate Fiscal Policy and Calendar Committee and the chairs of the House Policy and Budget Council and House Economic Expansion and Infrastructure Council.

From the Welfare Transition Trust Fund in Specific Appropriation 2202, $2,000,000 is provided to continue the Passport to Economic Progress programs in Hillsborough, Manatee, and Sarasota counties. Other funds provided to the Regional Workforce Boards in Specific Appropriation 2202 may be used for Passport to Economic Progress programs in other counties.

SECTION 6
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Funds in Specific Appropriation 2202 from the Special Employment Security Administration Trust Fund shall be used to provide services focused on retention and retraining of skilled talent in the space industry and shall include workforce skills analysis, training, and placement services, and may include communications efforts. Workforce Florida, Inc. shall develop a plan to implement this program. The plan shall be provided to the chair of the Senate Fiscal Policy and Calendar Committee and the chairs of the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council.

2203 SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 30,789,856
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 700,000

2204 SPECIAL CATEGORIES
GRANTS AND AIDS - DISPLACED HOMEMAKERS
FROM DISPLACED HOMEMAKER TRUST FUND . . . 2,566,758

2206 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 398,076
FROM WELFARE TRANSITION TRUST FUND 13,092
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 35

2207 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 278,234
FROM WELFARE TRANSITION TRUST FUND 6,627
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 581

2208 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 615,998
FROM WELFARE TRANSITION TRUST FUND 200,000

TOTAL: PROGRAM SUPPORT
FROM TRUST FUNDS 346,066,558

TOTAL POSITIONS 632.50
TOTAL ALL FUNDS 346,066,558

UNEMPLOYMENT COMPENSATION

From the funds provided in Specific Appropriations 2209 through 2216 from the Employment Security Administration Trust Fund, up to $7,085,322 in federal Reed Act distributions may be provided for the purpose of meeting the additional costs of administration and operation of the Unemployment Compensation Program resulting from the increase in demand.

APPROVED SALARY RATE 16,799,615

2209 SALARIES AND BENEFITS POSITIONS 437.00
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 23,654,019

2210 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,500,000

2211 EXPENSES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 6,805,689

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2212 OPERATING CAPITAL OUTLAY
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 314,258

2213 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 30,842,426

2214 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 146,548

2215 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 189,676

2216 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 3,963,005

From the funds provided in Specific Appropriation 2216, up to $1,900,000 may be funded through the use of federal Reed Act distributions for the purpose of paying additional service level agreements for the Unemployment Compensation Benefits System due to the transfer of the Unemployment Compensation Tax System to the SunTax System at the Department of Revenue.

TOTAL: UNEMPLOYMENT COMPENSATION
FROM TRUST FUNDS 71,415,621

TOTAL POSITIONS 437.00
TOTAL ALL FUNDS 71,415,621

WORKFORCE FLORIDA, INC.

APPROVED SALARY RATE 733,773

2217 SALARIES AND BENEFITS POSITIONS 9.00
FROM ADMINISTRATIVE TRUST FUND 923,174

2218 SPECIAL CATEGORIES
WORKFORCE FLORIDA INC. OPERATIONS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,370,902
FROM WELFARE TRANSITION TRUST FUND 1,036,711
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 536,092

2219 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 538
FROM WELFARE TRANSITION TRUST FUND 406
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 213

2220 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 2,451

2221 SPECIAL CATEGORIES
QUICK RESPONSE TRAINING
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,000,000

SECTION 6
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2222 SPECIAL CATEGORIES
INCUMBENT WORKER TRAINING PROGRAM
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 2,000,000

TOTAL: WORKFORCE FLORIDA, INC.
FROM TRUST FUNDS 10,870,487

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 10,870,487

UNEMPLOYMENT APPEALS COMMISSION

APPROVED SALARY RATE 1,962,636

2223 SALARIES AND BENEFITS POSITIONS 30.00
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 2,476,092

2224 SPECIAL CATEGORIES
UNEMPLOYMENT APPEALS COMMISSION OPERATIONS
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 417,405

2225 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 14,972

2226 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 12,124

TOTAL: UNEMPLOYMENT APPEALS COMMISSION
FROM TRUST FUNDS 2,920,593

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,920,593

EARLY LEARNING

EARLY LEARNING SERVICES

APPROVED SALARY RATE 4,722,455

2227 SALARIES AND BENEFITS POSITIONS 86.00
FROM GENERAL REVENUE FUND 3,283,495
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 2,953,228

2228 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,000
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 87,000

2229 EXPENSES
FROM GENERAL REVENUE FUND 376,829
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 926,329
FROM WELFARE TRANSITION TRUST FUND 189,751

2230 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND
GRANTS
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 1,000,000

2231 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 23,140
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 15,000

SECTION 6
SPECIFIC
APPROPRIATION

2233 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL READINESS
SERVICES
FROM GENERAL REVENUE FUND 145,452,904
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 365,814,592
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 500,000
FROM WELFARE TRANSITION TRUST FUND 124,353,182
FROM SPECIAL EMPLOYMENT SECURITY
ADMINISTRATION TRUST FUND 7,500,000

From the Child Care and Development Block Grant Trust Fund in Specific Appropriation 2233, 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 2233 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 2233 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 2233 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match. The Agency for Workforce Innovation may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement.

From the funds in Specific Appropriation 2233, the Agency for Workforce Innovation shall designate an amount to be used for the Child Care Executive Partnership Program, as defined in section 409.178, 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.

2234 SPECIAL CATEGORIES
GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL
READINESS
FROM GENERAL REVENUE FUND 275,489
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 2,056,925

2235 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,854
FROM CHILD CARE AND DEVELOPMENT BLOCK
GRANT TRUST FUND 17,350

2236 SPECIAL CATEGORIES
GRANTS AND AIDS - VOLUNTARY
PREKINDERGARTEN PROGRAM
FROM EMPLOYMENT SECURITY ADMINISTRATION
TRUST FUND 354,349,575

Funds in Specific Appropriation 2236 shall be allocated and distributed in accordance with the proviso associated with Specific Appropriation 79 in this act.

2237 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

SECTION 6
SPECIFIC
APPROPRIATION

2238 QUALIFIED EXPENDITURE CATEGORY
EARLY LEARNING INFO SYSTEM DEVELOPMENT (ELIS)
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 500,000

Funds provided in Specific Appropriation 2238 shall be used only (1) to specify and document the minimum requirements for an Internet-based Early Learning Information System (ELIS) that replaces the functionality of the Enhanced Fields System, enhances attendance tracking, and improves provider payment processing and related financial management capabilities, (2) to develop a business case describing, at a minimum, how existing coalition and agency processes for attendance, provider payments, and funds management can be streamlined using electronic means of tracking and reporting to reduce paperwork and workload, and (3) to calculate a cost-benefit analysis that quantifies operational cost reductions and other tangible benefits that can be objectively realized to justify the cost of the ELIS project. The requirements specifications must clearly and unambiguously define all business rules, interfaces, and known customer and system needs at a level sufficient to enable system design and development.

2239 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 7,715

TOTAL: EARLY LEARNING SERVICES
FROM GENERAL REVENUE FUND 149,443,327
FROM TRUST FUNDS 860,277,128

TOTAL POSITIONS 86.00
TOTAL ALL FUNDS 1009,720,455

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,412,176

2240 SALARIES AND BENEFITS POSITIONS 169.50
FROM ADMINISTRATIVE TRUST FUND 11,089,424

2241 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 797,920

2242 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 2,117,456

2243 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 77,346

2244 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 380,816

2245 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 272,780

2246 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND 4,000

2247 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 76,508

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2248 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 2,060

2249 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 71,509

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 14,889,819

TOTAL POSITIONS 169.50
TOTAL ALL FUNDS 14,889,819

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 3,019,389

2250 SALARIES AND BENEFITS POSITIONS 56.00
FROM ADMINISTRATIVE TRUST FUND 3,888,256

2251 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 94,096

2252 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 1,609,948

2253 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 112,000

2254 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 2,346,674

2255 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 16,285

2256 SPECIAL CATEGORIES
DEPARTMENT WIDE DOCUMENT MANAGEMENT SYSTEM
FROM ADMINISTRATIVE TRUST FUND 2,547,884

2257 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 22,530

2258 SPECIAL CATEGORIES
MAINTENANCE AND SUPPORT CONTRACT FOR SINGLE LICENSING SYSTEM
FROM ADMINISTRATIVE TRUST FUND 2,770,380

2259 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND 100,000

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 13,508,053

TOTAL POSITIONS 56.00
TOTAL ALL FUNDS 13,508,053

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: SERVICE OPERATION

CUSTOMER CONTACT CENTER

APPROVED SALARY RATE 2,835,460

2260 SALARIES AND BENEFITS POSITIONS 89.00
FROM ADMINISTRATIVE TRUST FUND 3,883,583

2261 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 225,000

2262 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 516,193

2263 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 3,000

2264 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 20,794

2265 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 36,483

TOTAL: CUSTOMER CONTACT CENTER
FROM TRUST FUNDS 4,685,053

TOTAL POSITIONS 89.00
TOTAL ALL FUNDS 4,685,053

CENTRAL INTAKE

APPROVED SALARY RATE 3,602,571

2266 SALARIES AND BENEFITS POSITIONS 110.50
FROM ADMINISTRATIVE TRUST FUND 4,984,312

2267 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 372,954

2268 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 672,595

2269 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 3,000

2270 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 800,000

2271 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 26,503

2272 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 50,574

TOTAL: CENTRAL INTAKE
FROM TRUST FUNDS 6,909,938

TOTAL POSITIONS 110.50
TOTAL ALL FUNDS 6,909,938

SECTION 6
SPECIFIC
APPROPRIATION
TESTING AND CONTINUING EDUCATION

APPROVED SALARY RATE 1,601,429

2273 SALARIES AND BENEFITS POSITIONS 46.00
FROM PROFESSIONAL REGULATION TRUST FUND . 2,180,055

2274 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 394,441

2275 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 3,000

2276 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR
PROFESSIONAL REGULATION
FROM PROFESSIONAL REGULATION TRUST FUND . 1,278,895

2277 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,000

2278 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 5,912

2279 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 19,130

TOTAL: TESTING AND CONTINUING EDUCATION
FROM TRUST FUNDS 3,882,433

TOTAL POSITIONS 46.00
TOTAL ALL FUNDS 3,882,433

PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

From the funds in Specific Appropriations 2280, 2282, 2283, 2289, and 2292, the Department of Business and Professional Regulation shall submit reports on a quarterly basis to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, the chair of the Senate General Government Appropriations Committee, and the chair of the House Jobs and Entrepreneurship Council related to its responsibilities defined in section 455.225, Florida Statutes. At a minimum, the reports shall contain the following data related to the protection of the public and the integrity of the regulated professions: the number of determinations of legal sufficiency and the number of investigations of legally sufficient complaints pursuant to section 455.225, Florida Statutes. The department shall also include in its reports the number of all complaints received and investigated, findings of probable cause and no probable cause, administrative complaints filed, disposition of administrative complaints, disciplinary actions, and the amounts of fines assessed and collected for each profession.

APPROVED SALARY RATE 7,413,369

2280 SALARIES AND BENEFITS POSITIONS 191.00
FROM PROFESSIONAL REGULATION TRUST FUND . 10,185,552

2281 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 18,750

2282 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,709,637

2283 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 15,340

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SPECIFIC
APPROPRIATION

2284 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 297,900

2285 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,280,050

From the funds in Specific Appropriation 2285, 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 2285, 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 2285, the Department of Business and Professional Regulation shall submit a report to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, the chair of the Senate General Government Appropriations Committee, and the chair of the House Jobs and Entrepreneurship Council by December 15, 2008, detailing the unlicensed activity functions performed by the department during Fiscal Year 2007-2008. 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.

2286 SPECIAL CATEGORIES
CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 1,800,000

2287 SPECIAL CATEGORIES
CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 100,000

2288 SPECIAL CATEGORIES
TRANSFER ARCHITECT & INTERIOR DESIGN ACTIVITIES CH. 2002-274
FROM PROFESSIONAL REGULATION TRUST FUND . 425,239

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2289 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 79,590

2290 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 209,136

2291 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 133,633

2292 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 81,138

2293 FINANCIAL ASSISTANCE PAYMENTS
SCHOLARSHIPS AND REAL ESTATE RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 450,000

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 16,785,965

TOTAL POSITIONS 191.00
TOTAL ALL FUNDS 16,785,965

STANDARDS AND LICENSURE

From the funds in Specific Appropriations 2294, 2295, 2296, 2297, 2301, 2302, and 2303, the Board of Accountancy shall prepare a report identifying potential cost savings and efficiencies related to licensure requirements, administrative rules, investigations, and the staffing needs of the Division of Certified Public Accounting.

The board shall submit the report, along with draft legislation to implement its proposed recommendations, to the Secretary of the Department of Business and Professional Regulation, the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, the chair of the Senate General Government Appropriations Committee, and the chair of the House Jobs and Entrepreneurship Council by February 1, 2009.

APPROVED SALARY RATE 2,298,625

2294 SALARIES AND BENEFITS POSITIONS 51.00
FROM PROFESSIONAL REGULATION TRUST FUND . 3,068,630

2295 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 520,177

2296 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,894,923

2297 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 14,660

2298 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 737,788

2299 SPECIAL CATEGORIES
CONTINUING EDUCATION
FROM PROFESSIONAL REGULATION TRUST FUND . 1,500

2300 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 33,000

2301 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 13,948

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APPROPRIATION

2302 SPECIAL CATEGORIES
MINORITY SCHOLARSHIPS - CERTIFIED PUBLIC ACCOUNTING
FROM PROFESSIONAL REGULATION TRUST FUND . 100,000

2303 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 27,112

2304 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENGINEERING MANAGEMENT CORPORATION (FEMC) CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 2,070,000

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 8,481,738

TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 8,481,738

FLORIDA BOXING COMMISSION

APPROVED SALARY RATE 225,884

2305 SALARIES AND BENEFITS POSITIONS 4.00
FROM PROFESSIONAL REGULATION TRUST FUND . 298,676

2306 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 82,551

2307 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 170,214

2308 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 1,000

2309 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 2,000

2310 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 537

2311 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 559,668

TOTAL POSITIONS 4.00
TOTAL ALL FUNDS 559,668

PROGRAM: PARI-MUTUEL WAGERING

PARI-MUTUEL WAGERING

APPROVED SALARY RATE 2,807,497

2312 SALARIES AND BENEFITS POSITIONS 67.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 3,776,021

2313 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,491,166

2314 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 704,759

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APPROPRIATION

2315 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 13,032

2316 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 24,802

2317 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 119,817

From the funds in Specific Appropriation 2317, $112,500 from the Pari-Mutuel Wagering Trust Fund is provided for research that will provide specific recommendations regarding the elimination of performance altering drugs in pari-mutuel industries.

2318 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 22,000

2319 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 271,963

2320 SPECIAL CATEGORIES
TAX COLLECTION (EQUALIZATION)
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 60,725

2321 SPECIAL CATEGORIES
PARI-MUTUEL LABORATORY CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 2,266,000

2322 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 43,124

2323 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 9,089,885

TOTAL POSITIONS 67.00
TOTAL ALL FUNDS 9,089,885

SLOT MACHINE REGULATION

APPROVED SALARY RATE 1,612,990

2324 SALARIES AND BENEFITS POSITIONS 39.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 2,249,928

2325 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 10,000

2326 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 302,611

2327 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 14,700

2328 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT - SLOT INVESTIGATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 3,238,400

2329 SPECIAL CATEGORIES
TRANSFER TO THE OFFICE OF THE STATE

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APPROPRIATION

ATTORNEY - SLOT INVESTIGATIONS AND PROSECUTIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 187,707

2330 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,090,000

From the funds in Specific Appropriation 2330, the Department of Business and Professional Regulation is authorized to utilize up to $750,000 for the purpose of contracting with an appropriate Florida organization to conduct a compulsive or addictive gambling prevention program, pursuant to section 551.118, Florida Statutes.

2331 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 13,000

2332 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 5,772

2333 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 15,160

TOTAL: SLOT MACHINE REGULATION
FROM TRUST FUNDS 7,127,278

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 7,127,278

PROGRAM: HOTELS AND RESTAURANTS

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 11,357,593

2334 SALARIES AND BENEFITS POSITIONS 302.00
FROM HOTEL AND RESTAURANT TRUST FUND . . . 15,392,565

2335 OTHER PERSONAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 9,500

2336 EXPENSES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 2,015,829

2337 OPERATING CAPITAL OUTLAY
FROM HOTEL AND RESTAURANT TRUST FUND . . . 14,500

2338 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 75,000

2339 SPECIAL CATEGORIES
TRANSFERS TO DEPARTMENT OF HEALTH FOR EPIDEMIOLOGICAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 607,149

2339A SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL-TO-CAREER
FROM HOTEL AND RESTAURANT TRUST FUND . . . 250,000

2340 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 93,000

2341 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 338,000

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2342 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HOTEL AND RESTAURANT TRUST FUND . . . 224,669

2343 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM HOTEL AND RESTAURANT TRUST FUND . . . 120,180

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 19,140,392

TOTAL POSITIONS 302.00
TOTAL ALL FUNDS 19,140,392

PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 9,408,909

2344 SALARIES AND BENEFITS POSITIONS 202.75
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 12,599,085

2345 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 7,075

2346 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 1,647,393
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 60,000

2346A OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 40,000

2347 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 315,644

2348 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 30,231

2349 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 783,675

2350 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 801,795

2351 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 234,676

2352 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND 140,000

2353 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES

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PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 80,448

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 16,740,022

TOTAL POSITIONS 202.75
TOTAL ALL FUNDS 16,740,022

STANDARDS AND LICENSURE

APPROVED SALARY RATE 2,393,402

2354 SALARIES AND BENEFITS POSITIONS 61.00
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 3,365,874

2355 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 800

2356 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 544,918

2357 OPERATING CAPITAL OUTLAY
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 5,000

2358 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 17,733

2359 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 15,997

2360 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 24,301

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 3,974,623

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 3,974,623

TAX COLLECTION

APPROVED SALARY RATE 3,354,085

2361 SALARIES AND BENEFITS POSITIONS 88.00
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 4,589,898

2362 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 729,741

2363 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 21,180

2364 SPECIAL CATEGORIES
CIGARETTE TAX STAMPS
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 976,505

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2365 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 13,575

2366 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 34,899

TOTAL: TAX COLLECTION
FROM TRUST FUNDS 6,365,798

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 6,365,798

PROGRAM: FLORIDA LAND SALES, CONDOMINIUMS AND MOBILE HOMES

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 3,493,728

2367 SALARIES AND BENEFITS POSITIONS 88.00
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 4,650,756

2368 OTHER PERSONAL SERVICES
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 50,099

2369 EXPENSES
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 844,279

2370 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 12,000

2371 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 22,947

2372 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 34,729

2373 SPECIAL CATEGORIES
GRANTS AND AIDS - CONDOMINIUM/COOPERATIVE
ASSOCIATION MANAGEMENT EDUCATION
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 250,000

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 5,864,810

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 5,864,810

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STANDARDS AND LICENSURE

APPROVED SALARY RATE 1,140,833

2374 SALARIES AND BENEFITS POSITIONS 31.00
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 1,600,829

2375 OTHER PERSONAL SERVICES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 15,131

2376 EXPENSES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 251,159

2377 OPERATING CAPITAL OUTLAY
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 1,298

2378 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 5,500

2379 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 6,614

2380 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 12,344

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 1,892,875

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 1,892,875

PROGRAM: CITRUS, DEPARTMENT OF

CITRUS RESEARCH

APPROVED SALARY RATE 1,596,074

2381 SALARIES AND BENEFITS POSITIONS 25.00
FROM CITRUS ADVERTISING TRUST FUND 2,021,857

2382 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 78,000

2383 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,011,896

2384 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND 251,000

2385 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 9,920,494

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2386 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 182,000

2387 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 13,474,530

TOTAL POSITIONS 25.00
TOTAL ALL FUNDS 13,474,530

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,738,648

2388 SALARIES AND BENEFITS POSITIONS 32.00
FROM CITRUS ADVERTISING TRUST FUND 2,448,770

2389 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 78,000

2390 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,221,931

2391 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND 66,400

2392 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 810,000

2393 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 75,000

2394 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS ADVERTISING TRUST FUND 32,237

2395 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND 14,186

2396 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM
FROM CITRUS ADVERTISING TRUST FUND 8,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 4,754,524

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 4,754,524

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 1,448,289

2397 SALARIES AND BENEFITS POSITIONS 19.00
FROM CITRUS ADVERTISING TRUST FUND 2,016,697

2398 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 17,000

2399 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,161,331

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From the funds provided in Specific Appropriation 2399, 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.

2400 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 100,000

2401 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 45,695,526

2402 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 48,998,860

TOTAL POSITIONS 19.00
TOTAL ALL FUNDS 48,998,860

FINANCIAL SERVICES, DEPARTMENT OF

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,897,328

2403 SALARIES AND BENEFITS POSITIONS 156.50
FROM ADMINISTRATIVE TRUST FUND 1,590,625
FROM INSURANCE REGULATORY TRUST FUND . . . 8,074,956
FROM REGULATORY TRUST FUND 325,104
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 214,469

From the funds provided in Specific Appropriations 2403, 2405, 2406, and 2409, three positions with associated salary rate of 196,303 and $337,958 from the Administrative Trust Fund are contingent upon House Bill 5043 or similar legislation, relating to the establishment of a Strategic Markets Research and Assessment Unit within the Department of Financial Services, becoming law. The unit is required to report quarterly on key issues, trends, and threats impacting Florida's financial services markets as authorized in section 20.121, Florida Statutes.

2404 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 9,980
FROM INSURANCE REGULATORY TRUST FUND . . . 101,221

2405 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 703,195
FROM INSURANCE REGULATORY TRUST FUND . . . 1,154,277
FROM REGULATORY TRUST FUND 35,696
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 29,143

2406 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 13,819
FROM INSURANCE REGULATORY TRUST FUND . . . 19,247

2407 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 45,338
FROM ANTI-FRAUD TRUST FUND 19,100
FROM INSURANCE REGULATORY TRUST FUND . . . 413,159

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2408 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 5,323
FROM INSURANCE REGULATORY TRUST FUND . . . 81,089

2409 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 10,306
FROM INSURANCE REGULATORY TRUST FUND . . . 51,068
FROM REGULATORY TRUST FUND 2,017
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 1,621

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 12,900,753

TOTAL POSITIONS 156.50
TOTAL ALL FUNDS 12,900,753

LEGAL SERVICES

APPROVED SALARY RATE 4,447,546

2410 SALARIES AND BENEFITS POSITIONS 87.50
FROM ADMINISTRATIVE TRUST FUND 955,854
FROM INSURANCE REGULATORY TRUST FUND . . . 3,640,257
FROM REGULATORY TRUST FUND 77,931
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 809,085
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 321,703

2411 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 169,388

2412 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 66,843
FROM INSURANCE REGULATORY TRUST FUND . . . 784,379
FROM REGULATORY TRUST FUND 6,513
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 47,121
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 39,577

2413 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 3,639

2414 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 126,230
FROM INSURANCE REGULATORY TRUST FUND . . . 378,689

2415 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 2,737
FROM INSURANCE REGULATORY TRUST FUND . . . 141,594
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 18,975

2416 SPECIAL CATEGORIES
HOLOCAUST VICTIMS ASSISTANCE ADMINISTRATION
FROM INSURANCE REGULATORY TRUST FUND . . . 308,007

2417 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 13,379

2418 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

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SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM ADMINISTRATIVE TRUST FUND		6,268
FROM INSURANCE REGULATORY TRUST FUND . . .		22,639
FROM REGULATORY TRUST FUND		484
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		4,925
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		2,001
TOTAL: LEGAL SERVICES		
FROM TRUST FUNDS		7,948,218
TOTAL POSITIONS	87.50	
TOTAL ALL FUNDS		7,948,218

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 6,815,992

2419 SALARIES AND BENEFITS POSITIONS	141.00	
FROM GENERAL REVENUE FUND	46,886	
FROM UNCLAIMED PROPERTY TRUST FUND		291,409
FROM ADMINISTRATIVE TRUST FUND		514,287
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		49,637
FROM INSURANCE REGULATORY TRUST FUND . . .		5,722,418
FROM REGULATORY TRUST FUND		760,177
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		403,279
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		1,081,504
2420 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,559	
FROM UNCLAIMED PROPERTY TRUST FUND		5,170
FROM ADMINISTRATIVE TRUST FUND		5,000
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		6,303
FROM INSURANCE REGULATORY TRUST FUND . . .		60,000
FROM REGULATORY TRUST FUND		20,802
2421 EXPENSES		
FROM GENERAL REVENUE FUND	52,997	
FROM UNCLAIMED PROPERTY TRUST FUND		17,165
FROM ADMINISTRATIVE TRUST FUND		146,854
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		2,303
FROM INSURANCE REGULATORY TRUST FUND . . .		2,750,283
FROM REGULATORY TRUST FUND		70,547
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		33,991
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		306,460
2422 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	13,930	
FROM UNCLAIMED PROPERTY TRUST FUND		89,912
FROM ADMINISTRATIVE TRUST FUND		119,961
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		15,206
FROM INSURANCE REGULATORY TRUST FUND . . .		687,690
FROM REGULATORY TRUST FUND		101,497
2423 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	51,592	
FROM UNCLAIMED PROPERTY TRUST FUND		181,349
FROM ADMINISTRATIVE TRUST FUND		767,107
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		32,524
FROM INSURANCE REGULATORY TRUST FUND . . .		3,474,110
FROM REGULATORY TRUST FUND		224,350

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FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		12,322
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		432,160

From the funds in Specific Appropriation 2423, $550,000 from the Administrative Trust Fund shall be used to replace the Uninterruptible Power Supply (UPS), a medium voltage switch and associated switchgear in the Department of Financial Services Data Center.

2424 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,208	
FROM UNCLAIMED PROPERTY TRUST FUND		1,175
FROM ADMINISTRATIVE TRUST FUND		1,940
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		246
FROM INSURANCE REGULATORY TRUST FUND . . .		23,033
FROM REGULATORY TRUST FUND		1,642
2425 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	8,990	
FROM UNCLAIMED PROPERTY TRUST FUND		1,904
FROM ADMINISTRATIVE TRUST FUND		2,558
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		323
FROM INSURANCE REGULATORY TRUST FUND . . .		29,508
FROM REGULATORY TRUST FUND		4,966
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND		2,769
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		7,065
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	177,162	
FROM TRUST FUNDS		18,462,906
TOTAL POSITIONS	141.00	
TOTAL ALL FUNDS		18,640,068

CONSUMER ADVOCATE

APPROVED SALARY RATE 747,288

2426 SALARIES AND BENEFITS POSITIONS	10.00	
FROM INSURANCE REGULATORY TRUST FUND . . .		955,046
2427 OTHER PERSONAL SERVICES		
FROM INSURANCE REGULATORY TRUST FUND . . .		119,224
2428 EXPENSES		
FROM INSURANCE REGULATORY TRUST FUND . . .		79,965
2429 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM INSURANCE REGULATORY TRUST FUND . . .		250,000
2430 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM INSURANCE REGULATORY TRUST FUND . . .		1,285
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		1,409,500

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TOTAL POSITIONS		10.00	
TOTAL ALL FUNDS			1,409,500

INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE

APPROVED SALARY RATE	4,985,210		
2431A SALARIES AND BENEFITS	POSITIONS	111.00	
FROM GENERAL REVENUE FUND		6,694,475	
2431B OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		5,000	
2431C EXPENSES			
FROM GENERAL REVENUE FUND		1,988,613	
2431D OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		215,794	
2431E SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		3,100,316	
2431F SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		15,319	
2431G SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		43,179	
TOTAL: INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE			
FROM GENERAL REVENUE FUND		12,062,696	
TOTAL POSITIONS		111.00	
TOTAL ALL FUNDS			12,062,696

PROGRAM: TREASURY

DEPOSIT SECURITY

APPROVED SALARY RATE	1,208,194		
2432 SALARIES AND BENEFITS	POSITIONS	29.50	
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			1,546,463
2433 OTHER PERSONAL SERVICES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			1,500
2434 EXPENSES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			293,081
2435 OPERATING CAPITAL OUTLAY			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			1,783
2436 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			80,205
2437 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			68,548
2438 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			11,890
TOTAL: DEPOSIT SECURITY			
FROM TRUST FUNDS			2,003,470
TOTAL POSITIONS		29.50	
TOTAL ALL FUNDS			2,003,470

STATE FUNDS MANAGEMENT AND INVESTMENT

APPROVED SALARY RATE	1,043,536		
2439 SALARIES AND BENEFITS	POSITIONS	25.50	
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			1,425,061
2440 OTHER PERSONAL SERVICES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			17,500
2441 EXPENSES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			427,619
2442 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			913,785
2443 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			10,313
TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT			
FROM TRUST FUNDS			2,794,278
TOTAL POSITIONS		25.50	
TOTAL ALL FUNDS			2,794,278

SUPPLEMENTAL RETIREMENT PLAN

APPROVED SALARY RATE	440,079		
2444 SALARIES AND BENEFITS	POSITIONS	12.50	
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			633,025
2445 OTHER PERSONAL SERVICES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			100
2446 EXPENSES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			120,786
2447 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			252
2448 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM TREASURY ADMINISTRATIVE AND			
INVESTMENT TRUST FUND			4,689

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TOTAL: SUPPLEMENTAL RETIREMENT PLAN
FROM TRUST FUNDS 758,852

TOTAL POSITIONS 12.50
TOTAL ALL FUNDS 758,852

PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING

APPROVED SALARY RATE 7,742,065

2449 SALARIES AND BENEFITS POSITIONS 164.00
FROM GENERAL REVENUE FUND 9,434,683
FROM ADMINISTRATIVE TRUST FUND 723,872

From the funds provided in Specific Appropriations 2449, 2451, 2452, and 2459, three positions with associated salary rate of 185,269 and $300,000 from the Administrative Trust Fund are provided to staff the task force established in section 17.0315, Florida Statutes. These funds are contingent upon House Bill 5043 or similar legislation, relating to a successor financial and cash management system, becoming law.

2450 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,994

2451 EXPENSES
FROM GENERAL REVENUE FUND 1,222,587
FROM ADMINISTRATIVE TRUST FUND 225,554

2452 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,000
FROM ADMINISTRATIVE TRUST FUND 3,000

2454 SPECIAL CATEGORIES
POSTCONVICTION CAPITAL COLLATERAL CASES - REGISTRY ATTORNEYS
FROM ADMINISTRATIVE TRUST FUND 2,075,388

2455 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 405,949

From the funds in Specific Appropriation 2455, up to $50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.

2456 SPECIAL CATEGORIES
DEBT SERVICE - FLAIR ACCOUNTING AND CASH MANAGEMENT SYSTEM REPLACEMENT
FROM INSURANCE REGULATORY TRUST FUND . . . 12,852,600

2457 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 40,796

2458 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 700

2459 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 61,586
FROM ADMINISTRATIVE TRUST FUND 4,401

2460 SPECIAL CATEGORIES
TRANSFER TO THE PRISON INDUSTRY ENHANCEMENT (PIE) PROGRAM
FROM PRISON INDUSTRIES TRUST FUND 750,000

SECTION 6
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Funds in Specific Appropriation 2460 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.

2461 SPECIAL CATEGORIES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
FROM ADMINISTRATIVE TRUST FUND 1,700,000

TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING
FROM GENERAL REVENUE FUND 11,199,295
FROM TRUST FUNDS 18,334,815

TOTAL POSITIONS 164.00
TOTAL ALL FUNDS 29,534,110

RECOVERY AND RETURN OF UNCLAIMED PROPERTY

APPROVED SALARY RATE 2,343,631

2462 SALARIES AND BENEFITS POSITIONS 60.00
FROM UNCLAIMED PROPERTY TRUST FUND 2,859,138

2463 OTHER PERSONAL SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND 180,000

2464 EXPENSES
FROM UNCLAIMED PROPERTY TRUST FUND 766,657

2465 OPERATING CAPITAL OUTLAY
FROM UNCLAIMED PROPERTY TRUST FUND 7,500

2466 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND 176,794

2467 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM UNCLAIMED PROPERTY TRUST FUND 7,711

2468 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 4,022,623

TOTAL POSITIONS 60.00
TOTAL ALL FUNDS 4,022,623

PROGRAM: FIRE MARSHAL

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 2,760,845

2469 SALARIES AND BENEFITS POSITIONS 71.50
FROM INSURANCE REGULATORY TRUST FUND . . . 3,639,016

2470 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 15,339

2471 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 619,855

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2472 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 9,144

2473 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 68,000

2474 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 18,405

2475 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 8,000

2476 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 28,374

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 4,406,133

TOTAL POSITIONS 71.50
TOTAL ALL FUNDS 4,406,133

FIRE AND ARSON INVESTIGATIONS

APPROVED SALARY RATE 6,147,578

2477 SALARIES AND BENEFITS POSITIONS 130.00
FROM INSURANCE REGULATORY TRUST FUND . . . 8,590,097

2478 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 33,391

2479 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,707,720

2480 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 91,565

2481 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 405,000

2482 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 155,374

2483 SPECIAL CATEGORIES
ON-CALL FEES
FROM INSURANCE REGULATORY TRUST FUND . . . 250,000

2484 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST FUND . . . 144,174

2485 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 5,000

2486 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 11,434,043

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TOTAL POSITIONS 130.00
TOTAL ALL FUNDS 11,434,043

PROFESSIONAL TRAINING AND STANDARDS

APPROVED SALARY RATE 1,191,096

2487 SALARIES AND BENEFITS POSITIONS 31.00
FROM INSURANCE REGULATORY TRUST FUND . . . 1,679,955

2488 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 250,000

2489 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 655,487

2490 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 23,294

2491 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 140,101

2492 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM INSURANCE REGULATORY TRUST FUND . . . 400,000

2493 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 17,500

2494 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 15,745

TOTAL: PROFESSIONAL TRAINING AND STANDARDS
FROM TRUST FUNDS 3,182,082

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 3,182,082

FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES

APPROVED SALARY RATE 908,852

2495 SALARIES AND BENEFITS POSITIONS 21.00
FROM INSURANCE REGULATORY TRUST FUND . . . 1,273,788

2496 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 9,102

2497 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 414,860

2498 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 12,000

2499 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 128,909

2500 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 171,084

2501 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 7,500

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2502 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 2,026,215

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 2,026,215

PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS

STATE SELF-INSURED CLAIMS ADJUSTMENT

The Division of Risk Management within the Department of Financial Services shall conduct a comprehensive review of and provide a report on the risk management programs of those agencies with the highest annual claims expense or frequency of claims. The report shall include: an examination of claims information to determine areas representing the most expensive and most frequently reported workers' compensation, civil rights, and general liability and automobile liability claims; a determination of how the agency claims data can be used for loss prevention and mitigation efforts; and specific recommendations for targeting loss prevention and developing minimum standards for agency loss prevention programs. The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council by January 1, 2009.

The division is directed to review and provide a report on payment of loss expenditures. The report shall include, but is not limited to, an analysis of all allocated and non-allocated costs such as medical case management client services, lost time wage payments, legal and medical costs, and the methodology by which costs are allocated. The data for the report shall include actual expenditures for the 2007-2008 fiscal year and a projection of 2008-2009 fiscal year expenditures. The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council by no later than October 1, 2008.

APPROVED SALARY RATE 3,743,804

2503 SALARIES AND BENEFITS POSITIONS 101.00
STATE RISK MANAGEMENT TRUST FUND 5,116,431

2504 OTHER PERSONAL SERVICES
STATE RISK MANAGEMENT TRUST FUND 105,000

2505 EXPENSES
STATE RISK MANAGEMENT TRUST FUND 934,863

2506 OPERATING CAPITAL OUTLAY
STATE RISK MANAGEMENT TRUST FUND 1,805

2507 SPECIAL CATEGORIES
CONTRACTED SERVICES
STATE RISK MANAGEMENT TRUST FUND 271,970

2508 SPECIAL CATEGORIES
EXCESS INSURANCE AND CLAIM SERVICE
STATE RISK MANAGEMENT TRUST FUND 10,871,000

2509 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
STATE RISK MANAGEMENT TRUST FUND 85,600

2510 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
STATE RISK MANAGEMENT TRUST FUND 40,725

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TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT
FROM TRUST FUNDS 17,427,394

TOTAL POSITIONS 101.00
TOTAL ALL FUNDS 17,427,394

PROGRAM: LICENSING AND CONSUMER PROTECTION

INSURANCE COMPANY REHABILITATION AND LIQUIDATION

APPROVED SALARY RATE 512,685

2511 SALARIES AND BENEFITS POSITIONS 9.00
FROM INSURANCE REGULATORY TRUST FUND . . . 830,233

2512 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 45,691

2513 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 112,031

2514 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,120

2515 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 258,352

2516 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 2,837

2517 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 3,567

TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION
FROM TRUST FUNDS 1,253,831

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 1,253,831

LICENSURE, SALES APPOINTMENT AND OVERSIGHT

APPROVED SALARY RATE 6,134,411

2518 SALARIES AND BENEFITS POSITIONS 166.00
FROM INSURANCE REGULATORY TRUST FUND . . . 7,980,900

2519 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 103,938

2520 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,410,324

2521 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 2,500

2522 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 46,750

2523 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 3,478,011

2524 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 72,682

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2525 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 13,161,121

TOTAL POSITIONS 166.00
TOTAL ALL FUNDS 13,161,121

INSURANCE FRAUD

APPROVED SALARY RATE 9,550,027

2526 SALARIES AND BENEFITS POSITIONS 195.00
FROM INSURANCE REGULATORY TRUST FUND . . . 12,692,593

2527 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 45,000

2528 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 2,192,515

2529 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,700

2530 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 297,000

2531 SPECIAL CATEGORIES
TRANSFER TO JUSTICE ADMINISTRATION COMMISSION FOR PROSECUTION OF PIP FRAUD
FROM INSURANCE REGULATORY TRUST FUND . . . 1,002,519

From the funds provided in Specific Appropriation 2531, $410,058 from the Insurance Regulatory Trust Fund is provided for transfer to the Justice Administration Commission for the prosecution of insurance fraud in Broward, Palm Beach, and Duval counties.

2532 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 223,559

2533 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 357,848

2534 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST FUND . . . 246,100

2535 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 77,825

TOTAL: INSURANCE FRAUD
FROM TRUST FUNDS 17,136,659

TOTAL POSITIONS 195.00
TOTAL ALL FUNDS 17,136,659

CONSUMER ASSISTANCE

APPROVED SALARY RATE 6,921,629

2536 SALARIES AND BENEFITS POSITIONS 183.50
FROM ADMINISTRATIVE TRUST FUND 30,907

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FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 33,211
FROM INSURANCE REGULATORY TRUST FUND . . . 8,772,677
FROM REGULATORY TRUST FUND 298,666

2537 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 194,243

2538 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 16,463
FROM INSURANCE REGULATORY TRUST FUND . . . 1,912,140
FROM REGULATORY TRUST FUND 23,655

2539 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 2,200

2539A SPECIAL CATEGORIES
TRANSFER TO FLORIDA CATASTROPHIC STORM RISK MANAGEMENT CENTER AT FLORIDA STATE UNIVERSITY
FROM INSURANCE REGULATORY TRUST FUND . . . 3,000,000

Funds in Specific Appropriation 2539A, are provided to meet the requirements set forth in section 1004.647, Florida Statutes.

2540 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 120
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 355
FROM INSURANCE REGULATORY TRUST FUND . . . 846,985
FROM REGULATORY TRUST FUND 2,766

2541 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 60,978

2542 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 . . . 71,178
FROM REGULATORY TRUST FUND 2,719

TOTAL: CONSUMER ASSISTANCE
FROM TRUST FUNDS 15,270,138

TOTAL POSITIONS 183.50
TOTAL ALL FUNDS 15,270,138

FUNERAL AND CEMETERY SERVICES

APPROVED SALARY RATE 1,360,177

2543 SALARIES AND BENEFITS POSITIONS 32.00
FROM REGULATORY TRUST FUND 1,834,443

2544 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 25,000

2545 EXPENSES
FROM REGULATORY TRUST FUND 435,730

2546 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 9,500

2547 LUMP SUM
FUNERAL AND CEMETERIES REGULATION POSITIONS 2.00
FROM REGULATORY TRUST FUND 284,860

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2548 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 149,425

2549 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 4,382

2550 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 2,758,727

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 2,758,727

PROGRAM: WORKERS' COMPENSATION

WORKERS' COMPENSATION

APPROVED SALARY RATE 13,671,271

2551 SALARIES AND BENEFITS POSITIONS 364.00
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 17,319,642
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 944,301

2552 OTHER PERSONAL SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 237,570
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 17,550

2553 EXPENSES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 4,033,747
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 131,882

2554 OPERATING CAPITAL OUTLAY
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 200,021
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 16,851

2554A SPECIAL CATEGORIES
TRANSFER TO DISTRICT COURTS OF APPEAL -
WORKERS' COMPENSATION APPEALS
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 1,981,688

Funds in Specific Appropriation 2554A are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and to implement a new workers' compensation appeals unit.

2554B SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES FOR THE FIRST DISTRICT COURT OF
APPEAL COURTHOUSE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 5,500,000

2555 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 4,072,499
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 186,360

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2556 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 243,357

2557 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 142,593
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 8,359

TOTAL: WORKERS' COMPENSATION
FROM TRUST FUNDS 35,036,420

TOTAL POSITIONS 364.00
TOTAL ALL FUNDS 35,036,420

PROGRAM: FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION

COMPLIANCE AND ENFORCEMENT - INSURANCE

APPROVED SALARY RATE 12,893,691

2558 SALARIES AND BENEFITS POSITIONS 277.00
FROM INSURANCE REGULATORY TRUST FUND . . . 16,897,976

2560 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 3,169,133

2561 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 2,000

2561A SPECIAL CATEGORIES
FLORIDA PUBLIC HURRICANE LOSS MODEL -
OFFICE OF INSURANCE REGULATION
FROM INSURANCE REGULATORY TRUST FUND . . . 623,512

2562 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 903,016

2563 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 173,368

2564 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

FROM TRUST FUNDS 21,879,560

TOTAL POSITIONS 277.00
TOTAL ALL FUNDS 21,879,560

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,159,595

2565 SALARIES AND BENEFITS POSITIONS 37.00
FROM INSURANCE REGULATORY TRUST FUND . . . 2,733,408

2566 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 220,824

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2567 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 117,710

2568 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 3,087,391

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 3,087,391

OFFICE OF FINANCIAL REGULATION

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

APPROVED SALARY RATE 6,238,714

2569 SALARIES AND BENEFITS POSITIONS 124.00
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 8,057,520

2570 OTHER PERSONAL SERVICES
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 800,000

2571 EXPENSES
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 1,536,846

2572 OPERATING CAPITAL OUTLAY
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 6,986

2573 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 367,012

2574 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 22,482

2575 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 49,343

TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

FROM TRUST FUNDS 10,840,189

TOTAL POSITIONS 124.00
TOTAL ALL FUNDS 10,840,189

FINANCIAL INVESTIGATIONS

From the funds in Specific Appropriations 2576, 2578, 2580, 2581, and 2582, $1,929,382 from the Regulatory Trust Fund is contingent upon House Bill 5043 or similar legislation, relating to securities regulation fees, becoming law.

SECTION 6
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APPROVED SALARY RATE 3,026,492

2576 SALARIES AND BENEFITS POSITIONS 64.00
FROM ADMINISTRATIVE TRUST FUND 1,962,357
FROM REGULATORY TRUST FUND 1,686,892

2577 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 5,321

2578 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 387,736
FROM REGULATORY TRUST FUND 329,936
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 51,758

2579 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 10,600

2580 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 10,418
FROM REGULATORY TRUST FUND 5,936

2581 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 8,868
FROM REGULATORY TRUST FUND 3,325

2582 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 14,486
FROM REGULATORY TRUST FUND 10,880

TOTAL: FINANCIAL INVESTIGATIONS

FROM TRUST FUNDS 4,488,513

TOTAL POSITIONS 64.00
TOTAL ALL FUNDS 4,488,513

EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 2583, 2584, 2585, and 2587, $947,443 from the Regulatory Trust Fund is contingent upon House Bill 5043 or similar legislation, relating to securities regulation fees, becoming law.

APPROVED SALARY RATE 2,833,313

2583 SALARIES AND BENEFITS POSITIONS 49.00
FROM ADMINISTRATIVE TRUST FUND 2,119,628
FROM REGULATORY TRUST FUND 1,399,848

2584 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 242,862
FROM REGULATORY TRUST FUND 186,300

2585 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 4,134
FROM REGULATORY TRUST FUND 6,914

2586 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 8,766
FROM REGULATORY TRUST FUND 569

2587 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 11,639
FROM REGULATORY TRUST FUND 7,785

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM TRUST FUNDS 3,988,445

TOTAL POSITIONS 49.00
TOTAL ALL FUNDS 3,988,445

FINANCE REGULATION

APPROVED SALARY RATE 5,586,818

2588 SALARIES AND BENEFITS POSITIONS 122.00
FROM REGULATORY TRUST FUND 7,209,600

2589 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 300,000

2590 EXPENSES
FROM REGULATORY TRUST FUND 1,300,910

2591 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 6,631

2591A SPECIAL CATEGORIES
MORTGAGE BROKER EXAMAINATIONS - OFFICE OF FINANCIAL REGULATION
FROM REGULATORY TRUST FUND 1,401,030

2592 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 3,141,565

2592A SPECIAL CATEGORIES
MONEY SERVICES BUSINESS EXAMINATIONS
FROM REGULATORY TRUST FUND 500,000

2593 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 21,338

2594 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 48,124

2595 DATA PROCESSING SERVICES
REGULATORY ENFORCEMENT AND LICENSING SYSTEM - OFFICE OF FINANCIAL REGULATION
FROM REGULATORY TRUST FUND 3,963,984

From the funds in Specific Appropriation 2595, $1,981,992 shall be held in reserve. The Office of Financial Regulation may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting release of the funds upon submission of an updated operational work plan and spending plan.

TOTAL: FINANCE REGULATION

FROM TRUST FUNDS 17,893,182

TOTAL POSITIONS 122.00
TOTAL ALL FUNDS 17,893,182

SECURITIES REGULATION

From the funds in Specific Appropriations 2596 through 2601, $5,956,498 from the Regulatory Trust Fund is contingent upon House Bill 5043 or similar legislation, relating to securities regulation fees, becoming law.

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APPROPRIATION
APPROVED SALARY RATE 4,253,960

2596 SALARIES AND BENEFITS POSITIONS 94.00
FROM REGULATORY TRUST FUND 5,682,906

2597 OTHER PERSONAL SERVICES
FROM ANTI-FRAUD TRUST FUND 61,730
FROM REGULATORY TRUST FUND 4,466

2598 EXPENSES
FROM ANTI-FRAUD TRUST FUND 137,885
FROM REGULATORY TRUST FUND 775,128

2599 OPERATING CAPITAL OUTLAY
FROM ANTI-FRAUD TRUST FUND 31,802
FROM REGULATORY TRUST FUND 8,566

2599A SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ANTI-FRAUD TRUST FUND 52,549
FROM REGULATORY TRUST FUND 4,500

2600 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 16,956

2601 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 6,815,806

TOTAL POSITIONS 94.00
TOTAL ALL FUNDS 6,815,806

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: GENERAL OFFICE

EXECUTIVE DIRECTION AND SUPPORT SERVICES

2602 SALARIES AND BENEFITS POSITIONS 116.00
FROM GENERAL REVENUE FUND 8,193,114
FROM GRANTS AND DONATIONS TRUST FUND . . . 211,458

2604 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION
FROM GENERAL REVENUE FUND 2,473,476
FROM GRANTS AND DONATIONS TRUST FUND . . . 488,236

2605 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - WASHINGTON OFFICE
FROM GENERAL REVENUE FUND 124,874

2606 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 7,855

2607 SPECIAL CATEGORIES
CONTINGENT - DISCRETIONARY
FROM GENERAL REVENUE FUND 30,000

2608 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 36,951
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,359

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2609 SPECIAL CATEGORIES
CHILD ABUSE PREVENTION
FROM GENERAL REVENUE FUND 228,180

2610 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

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 11,146,354
FROM TRUST FUNDS 707,367

TOTAL POSITIONS 116.00
TOTAL ALL FUNDS 11,853,721

DRUG CONTROL COORDINATION

2611 SALARIES AND BENEFITS POSITIONS 7.00
FROM GENERAL REVENUE FUND 500,399

2612 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION
FROM GENERAL REVENUE FUND 108,726

2613 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,053

2614 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF JUVENILE JUSTICE
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000,000

2615 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY TRIALS INITIATIVE GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 360,611

2616 SPECIAL CATEGORIES
ENFORCING UNDERAGE DRINKING LAWS - BLOCK GRANT
FROM GRANTS AND DONATIONS TRUST FUND . . . 439,062

2617 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 612,619
FROM TRUST FUNDS 1,799,673

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 2,412,292

LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM

2618 SALARIES AND BENEFITS POSITIONS 48.00
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 4,432,070

2619 LUMP SUM
LEGISLATIVE APPROPRIATION SYSTEM/PLANNING AND BUDGETING SUBSYSTEM
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 1,303,753

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2620 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 16,398

2621 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 17,886

TOTAL: LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM
FROM TRUST FUNDS 5,770,107

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 5,770,107

EXECUTIVE PLANNING AND BUDGETING

2622 SALARIES AND BENEFITS POSITIONS 105.00
FROM GENERAL REVENUE FUND 9,034,392

2623 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF PLANNING AND BUDGETING
FROM GENERAL REVENUE FUND 1,193,290

2624 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 6,657

2625 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 32,512

2626 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 10,310,423

TOTAL POSITIONS 105.00
TOTAL ALL FUNDS 10,310,423

PROGRAM: OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,302,735

2627 SALARIES AND BENEFITS POSITIONS 21.00
FROM GENERAL REVENUE FUND 708,447
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 479,168
FROM GRANTS AND DONATIONS TRUST FUND . . . 37
FROM TOURISM PROMOTION TRUST FUND 450,294

2628 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT
FROM GENERAL REVENUE FUND 1,280,254
FROM ECONOMIC DEVELOPMENT TRANSPORTATION TRUST FUND 300,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 105,428
FROM GRANTS AND DONATIONS TRUST FUND . . . 750
FROM TOURISM PROMOTION TRUST FUND 115,145

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2629 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,759
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 981
FROM TOURISM PROMOTION TRUST FUND 2,344

2630 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,068
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 1,994,528
FROM TRUST FUNDS 1,459,446

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 3,453,974

ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS

2631 LUMP SUM
ECONOMIC DEVELOPMENT TOOLS
FROM GENERAL REVENUE FUND 17,410,000
FROM ECONOMIC DEVELOPMENT TRUST FUND . . . 4,227,500

Funds in Specific Appropriation 2631 shall be allocated as follows:

From non-recurring general revenue:
Economic Development Tools..... 16,910,000

From non-recurring trust funds:
Economic Development Tools - Local Match..... 4,227,500

Funds provided in Specific Appropriation 2631 for Economic Development Tools include funding for Qualified Targeted Industries, Qualified Defense Contractors and High Impact Performance Incentives. These funds shall not be released for any other purpose and shall only be disbursed when projects meet the contracted performance requirements.

Funds from the Economic Development Trust Fund in Specific Appropriation 2631 represent local match funds.

From the funds in Specific Appropriation 2631, $500,000 in non-recurring 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.

2633 SPECIAL CATEGORIES
GRANTS AND AIDS - BLACK BUSINESS INVESTMENT BOARD
FROM GENERAL REVENUE FUND 2,750,000

From the funds in Specific Appropriation 2633, $250,000 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 $2,450,000 is provided for the Black Business Loan Program.

2634 SPECIAL CATEGORIES
HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM
FROM GENERAL REVENUE FUND 200,000

2635 SPECIAL CATEGORIES
QUICK ACTION CLOSING FUND
FROM GENERAL REVENUE FUND 26,460,000

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From funds provided in Specific Appropriation 2635, $5,000,000 shall be used for an economic development project in Pasco County, which must contribute a 50 percent match from non-state sources. The project must meet the requirements specified in section 288.1088 (2), Florida Statutes, including those for average wage and payback ratio.

2636 SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL RELATIONSHIPS
FROM GENERAL REVENUE FUND 900,000

Funds provided in Specific Appropriation 2636 shall be allocated as follows:

Florida Association of Volunteer Action/Caribbean & Americas (FAVACA)..... 350,000
Southeast US/Japan & FLOR/KOR..... 250,000
Gateway Florida..... 300,000

2636A SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS
FROM GENERAL REVENUE FUND 2,090,000

Funds provided in Specific Appropriation 2636A shall be allocated as follows:

Exponica International..... 840,000
Florida Goodwill Association..... 500,000
CAMACOL/Film Initiative..... 150,000
Florida Small Business Development Center Network..... 250,000
Haitian Heritage Museum..... 75,000
Florida Holocaust Museum..... 125,000
Harry T. and Harriet V. Moore Center..... 150,000

2637 SPECIAL CATEGORIES
SUNSHINE STATE GAMES
FROM GENERAL REVENUE FUND 200,000

2638 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SPORTS FOUNDATION
FROM PROFESSIONAL SPORTS DEVELOPMENT TRUST FUND 2,750,000

2639 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA PROGRAM
FROM GENERAL REVENUE FUND 4,550,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 7,350,000

From the funds in Specific Appropriation 2639, $300,000 in non-recurring general revenue shall be provided to the Florida Trade and Exhibition Center.

From the funds in Specific Appropriation 2639, as a part of the annual report required under section 288.906, Florida Statutes, Enterprise Florida, Inc. shall provide information including, but not limited to:

(1) A description of efforts to support the growth of recreational marine businesses presently operating in the state.

(2) A description of the recruitment of boat manufacturers and service sectors of the marine industry to establish operations in the state and retention of boat manufacturers and marine accessory manufacturers currently operating in the state.

(3) A description of any loss or gain of marina and boatyard facilities in the state and any loss or gain in recreational marine businesses to other states.

2640 SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION
FROM GENERAL REVENUE FUND 1,000,000

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Funds in Specific Appropriation 2640 shall be allocated as follows:

Military Base Protection	250,000
Defense Reinvestment	750,000

2641	SPECIAL CATEGORIES ECONOMIC RECOVERY ASSISTANCE PROGRAM FROM GENERAL REVENUE FUND	322,600	
2642	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA COMMISSION ON TOURISM FROM GENERAL REVENUE FUND	10,650,000	
	FROM TOURISM PROMOTION TRUST FUND		24,899,209
2643	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	410	
2644	SPECIAL CATEGORIES FILM AND ENTERTAINMENT FROM GENERAL REVENUE FUND	5,000,000	
2645	SPECIAL CATEGORIES GRANTS AND AIDS - BROWNFIELDS REDEVELOPMENT PROJECT FROM GENERAL REVENUE FUND	1,348,320	
	FROM ECONOMIC DEVELOPMENT TRUST FUND		337,080
2646	SPECIAL CATEGORIES GRANTS AND AIDS - SPACE FLORIDA FROM GENERAL REVENUE FUND	4,000,000	
2647	SPECIAL CATEGORIES RURAL COMMUNITY DEVELOPMENT FROM GENERAL REVENUE FUND	400,000	
	FROM ECONOMIC DEVELOPMENT TRUST FUND		900,000

From funds in Specific Appropriation 2647, up to $200,000 shall be used by the Rural Economic Development Initiative to assist local governments in rural areas of critical economic concern with planning and technical assistance.

2648	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SPACE, DEFENSE, AND RURAL INFRASTRUCTURE FROM GENERAL REVENUE FUND	15,300,000

Funds provided in Specific Appropriation 2648 shall be allocated as follows:

Defense Infrastructure	10,600,000
Rural Infrastructure	4,700,000

From the funds in Specific Appropriation 2648 for Defense Infrastructure, $9,100,000 shall be provided to the Orange County Research and Development Authority to enhance force protection and military base protection requirements for the Department of Defense simulation and modeling activities in the Central Florida Research Park.

2649	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS FROM ECONOMIC DEVELOPMENT TRANSPORTATION TRUST FUND	36,750,000

A portion of the funds provided in Specific Appropriation 2649 shall be allocated as follows:

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City of Dunedin for the Gateway Redevelopment project	1,300,000
Fresh Ministries Beaver Street Enterprise	300,000
City of Tampa for the Florida Communities Assessment and Economic Development project	75,000
National Black Caucus of State Legislatures	75,000
Florida Sub-Orbital Commercial Research & Training Center at the Florida Institute of Technology	500,000

From the funds provided in Specific Appropriation 2649, $14,500,000 shall be used for Space and Aerospace Infrastructure to make improvements to Launch Complex 36 on the 45th Space Wing property in order to attract new space vehicle testing and launch business to the state.

TOTAL: ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS FROM GENERAL REVENUE FUND	92,581,330	
FROM TRUST FUNDS		77,213,789
TOTAL ALL FUNDS		169,795,119

PROGRAM: AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

APPROVED SALARY RATE 397,577

2650	SALARIES AND BENEFITS POSITIONS	6.00	
	FROM GENERAL REVENUE FUND	515,742	
2651	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	1,000	
2652	EXPENSES FROM GENERAL REVENUE FUND	141,140	
2653	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	9,000	
2654	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY POSITIONS	8.00	
	FROM GENERAL REVENUE FUND	857,941	
2655	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	1,928	
2656	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		1,528,819	
TOTAL POSITIONS		14.00	
TOTAL ALL FUNDS			1,528,819

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 10,359,766

2657	SALARIES AND BENEFITS POSITIONS	292.00	
	FROM GENERAL REVENUE FUND	5,321	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND		13,896,373
	FROM FEDERAL GRANTS TRUST FUND		198,102
	FROM LAW ENFORCEMENT TRUST FUND		141,486

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2658	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		92,914
	FROM FEDERAL GRANTS TRUST FUND		50,000
2659	EXPENSES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		991,730
	FROM FEDERAL GRANTS TRUST FUND		51,863
	FROM LAW ENFORCEMENT TRUST FUND		7,516
2660	OPERATING CAPITAL OUTLAY		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		170,709
2661	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		135,112
2662	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		324,293
2663	SPECIAL CATEGORIES		
	PAYMENT TO OUTSIDE CONTRACTOR		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		375,723
2664	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		275,529
2665	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		84,169
2666	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	936,865	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,034,672
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	942,186	
	FROM TRUST FUNDS		17,830,191
	TOTAL POSITIONS	292.00	
	TOTAL ALL FUNDS		18,772,377

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

APPROVED SALARY RATE 97,787,946

2667	SALARIES AND BENEFITS POSITIONS	2,222.00	
	FROM GENERAL REVENUE FUND	105,474,380	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		38,758,577
	FROM FEDERAL GRANTS TRUST FUND		447,329
	FROM GAS TAX COLLECTION TRUST FUND		258,474
	FROM LAW ENFORCEMENT TRUST FUND		366,015
2668	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,500	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		11,401,404
	FROM FEDERAL GRANTS TRUST FUND		553,000
	FROM LAW ENFORCEMENT TRUST FUND		345,000
2669	EXPENSES		
	FROM GENERAL REVENUE FUND	636,060	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		7,380,474
	FROM FEDERAL GRANTS TRUST FUND		793,726
	FROM LAW ENFORCEMENT TRUST FUND		68,203
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND .		193,673

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2670	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	145,495	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		426,570
	FROM FEDERAL GRANTS TRUST FUND		951,805
	FROM LAW ENFORCEMENT TRUST FUND		500,000
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND .		263,100
2671	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	1,540,698	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		4,409,574
2672	SPECIAL CATEGORIES		
	FLORIDA HIGHWAY PATROL COMMUNICATION SYSTEMS		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,500,000
2673	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	144,997	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		883,750
	FROM FEDERAL GRANTS TRUST FUND		10,000
	FROM LAW ENFORCEMENT TRUST FUND		50,000
2674	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	2,398,379	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		10,616,138
	FROM FEDERAL GRANTS TRUST FUND		20,250
	FROM LAW ENFORCEMENT TRUST FUND		1,456,801
2675	SPECIAL CATEGORIES		
	AUXILLIARY UNIFORMS AND EQUIPMENT		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		144,000
2676	SPECIAL CATEGORIES		
	PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS		
	FROM HIGHWAY PATROL INSURANCE TRUST FUND .		325,995
2677	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,233,525	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		973,980
2678	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	744,817	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		710,775
	FROM FEDERAL GRANTS TRUST FUND		15,600
2679	SPECIAL CATEGORIES		
	TRANSFER TO HIGHWAY PATROL INSURANCE TRUST FUND		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		325,995
2680	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,134,767
2681	SPECIAL CATEGORIES		
	MOBILE DATA TERMINAL SYSTEM		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,446,297
TOTAL: HIGHWAY SAFETY			
	FROM GENERAL REVENUE FUND	114,340,851	
	FROM TRUST FUNDS		88,731,272
	TOTAL POSITIONS	2,222.00	
	TOTAL ALL FUNDS		203,072,123

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APPROPRIATION
EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,805,138

2682 SALARIES AND BENEFITS POSITIONS 27.00
FROM GENERAL REVENUE FUND 2,365,219
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 109,198

2683 EXPENSES
FROM GENERAL REVENUE FUND 184,418
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 94,382

2684 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,000

2685 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 19,838

2686 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,135

2687 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 2,790
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 5,000

2688 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 37,958
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 11,434

2689 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 20,315

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,642,673
FROM TRUST FUNDS 220,014

TOTAL POSITIONS 27.00
TOTAL ALL FUNDS 2,862,687

PROGRAM: LICENSES, TITLES AND REGULATIONS

DRIVER LICENSURE

No funds are provided in Specific Appropriations 2690 through 2703 for Fiscal Year 2008-2009 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's License Offices: Jacksonville - Pablo Station #E05, East Point #B02, Bonifay #A09, Madison #D12, Trenton #D07, Clearwater - ICOT Office Center #J01, Fort Myers, #N01, Venice #M05, Wildwood #G08, and Chipley #B08.

No funds are provided in Specific Appropriations 2690 through 2703 for Fiscal Year 2008-2009 to make payments for the use of the properties after January 1, 2009, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the following Driver's License Offices: Inverness #L08, Merritt Island #H03, and Flagler Beach #F04.

APPROVED SALARY RATE 36,254,331

2690 SALARIES AND BENEFITS POSITIONS 1,270.00
FROM GENERAL REVENUE FUND 348,928
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 50,946,180
FROM FEDERAL GRANTS TRUST FUND 6,423

2691 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 659,770
FROM FEDERAL GRANTS TRUST FUND 59,850

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2692 EXPENSES
FROM GENERAL REVENUE FUND 47,119
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,557,582
FROM FEDERAL GRANTS TRUST FUND 56,610

From the funds in Specific Appropriation 2692, $326,155 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2693 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 53,491
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 59,747
FROM FEDERAL GRANTS TRUST FUND 106,856

2695 SPECIAL CATEGORIES
DISTRIBUTION OF VOLUNTARY CONTRIBUTIONS OF
DRIVER LICENSE APPLICATIONS AND MOTOR
VEHICLE REGISTRATIONS TO STATE AGENCIES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 218,900

2696 SPECIAL CATEGORIES
DISTRIBUTIONS OF VOLUNTARY CONTRIBUTIONS
OF DRIVER LICENSE APPLICATIONS AND MOTOR
VEHICLE REGISTRATIONS TO NON-PROFIT AGY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 950,000

2697 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,253,278
FROM FEDERAL GRANTS TRUST FUND 1,063,868

From the funds in Specific Appropriation 2697, $200,000 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2697A SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,967,163

2698 SPECIAL CATEGORIES
AUTOMATED UNIFORM TRAFFIC ACCOUNTING
SYSTEM
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 951,999

2699 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,752,015

2700 SPECIAL CATEGORIES
PURCHASE OF DRIVER LICENSES
FROM GENERAL REVENUE FUND 588,065
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,652,779

From the funds in Specific Appropriation 2700, $500,000 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2701 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,353,662

2702 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 99,483

2703 SPECIAL CATEGORIES
TRANSFER TO TRANSPORTATION SECURITY
ADMINISTRATION AND FLORIDA DEPARTMENT OF
LAW ENFORCEMENT FOR BACKGROUND CHECKS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 6,057,233

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From the funds in Specific Appropriation 2703, $86,233 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

TOTAL: DRIVER LICENSURE		
FROM GENERAL REVENUE FUND	1,037,603	
FROM TRUST FUNDS		90,773,398
TOTAL POSITIONS	1,270.00	
TOTAL ALL FUNDS		91,811,001

MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE

APPROVED SALARY RATE 1,349,404

2704	SALARIES AND BENEFITS POSITIONS	51.00	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,976,268
2705	EXPENSES		
	FROM GENERAL REVENUE FUND	2,367	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		270,737
2706	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		5,150
2707	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		57,603
TOTAL: MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE			
	FROM GENERAL REVENUE FUND	2,367	
	FROM TRUST FUNDS		2,309,758
	TOTAL POSITIONS	51.00	
	TOTAL ALL FUNDS		2,312,125

IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS

APPROVED SALARY RATE 6,608,898

2708	SALARIES AND BENEFITS POSITIONS	205.00	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		9,186,156
	FROM FEDERAL GRANTS TRUST FUND		5,766
2709	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		505,292
	FROM FEDERAL GRANTS TRUST FUND		700,917
2710	EXPENSES		
	FROM GENERAL REVENUE FUND	30,218	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		705,535
	FROM FEDERAL GRANTS TRUST FUND		1,039,862
2711	OPERATING CAPITAL OUTLAY		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		17,680
	FROM FEDERAL GRANTS TRUST FUND		405,428
2713	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		184,259
2714	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		223,210
TOTAL: IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS			
	FROM GENERAL REVENUE FUND	30,218	
	FROM TRUST FUNDS		12,974,105
	TOTAL POSITIONS	205.00	
	TOTAL ALL FUNDS		13,004,323

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MOBILE HOME COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 1,019,115

2715	SALARIES AND BENEFITS POSITIONS	29.00	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,378,908
2716	EXPENSES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		145,444
2717	OPERATING CAPITAL OUTLAY		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		10,000
2719	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,403
2720	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		19,891
TOTAL: MOBILE HOME COMPLIANCE AND ENFORCEMENT			
	FROM TRUST FUNDS		1,556,646
	TOTAL POSITIONS	29.00	
	TOTAL ALL FUNDS		1,556,646

VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES

APPROVED SALARY RATE 12,343,081

2721	SALARIES AND BENEFITS POSITIONS	400.00	
	FROM GENERAL REVENUE FUND	90,777	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		13,876,825
	FROM GAS TAX COLLECTION TRUST FUND		3,026,218
2722	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		153,863
	FROM FEDERAL GRANTS TRUST FUND		40,000
	FROM GAS TAX COLLECTION TRUST FUND		11,438
2723	EXPENSES		
	FROM GENERAL REVENUE FUND	11,672	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,936,139
	FROM FEDERAL GRANTS TRUST FUND		170,000
	FROM GAS TAX COLLECTION TRUST FUND		558,948
2724	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTION TO SCHOOLS - MOBILE HOME DECAL REVENUE		
	FROM LICENSE TAX COLLECTION TRUST FUND . .		10,500,000
2725	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTION TO COUNTIES - MOBILE HOME DECAL REVENUE		
	FROM LICENSE TAX COLLECTION TRUST FUND . .		6,120,000
2726	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTION TO CITIES - MOBILE HOME DECAL REVENUE		
	FROM LICENSE TAX COLLECTION TRUST FUND . .		4,880,000
2727	OPERATING CAPITAL OUTLAY		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		88,957
	FROM FEDERAL GRANTS TRUST FUND		80,000
	FROM GAS TAX COLLECTION TRUST FUND		5,001
2727A	LUMP SUM		
	PAYMENTS OF JUDGEMENT		
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,125,000
2729	SPECIAL CATEGORIES		
	DISTRIBUTION OF VOLUNTARY CONTRIBUTIONS OF		

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DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO STATE AGENCIES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 255,000

2730 SPECIAL CATEGORIES
DISTRIBUTIONS OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO NON-PROFIT AGY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 455,000

2731 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 765,068
FROM GAS TAX COLLECTION TRUST FUND 3,040

2732 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,109,750

2733 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASE OF LICENSE PLATES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 12,718,891

2734 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 180,753
FROM GAS TAX COLLECTION TRUST FUND 35,429

2735 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 86,311

2736 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 GENERAL REVENUE FUND 102,449
FROM TRUST FUNDS 60,343,287

TOTAL POSITIONS 400.00
TOTAL ALL FUNDS 60,445,736

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,098,794

2737 SALARIES AND BENEFITS POSITIONS 36.00
FROM GENERAL REVENUE FUND 153,017
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,640,060

2738 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 38,400

2739 EXPENSES
FROM GENERAL REVENUE FUND 2,667
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 172,560

2740 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 72,310

2741 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 4,659

2742 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 33,062

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 155,684
FROM TRUST FUNDS 2,961,051

TOTAL POSITIONS 36.00
TOTAL ALL FUNDS 3,116,735

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 8,316,007

2743 SALARIES AND BENEFITS POSITIONS 193.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,919,766
FROM FEDERAL GRANTS TRUST FUND 825

2744 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 744,219
FROM FEDERAL GRANTS TRUST FUND 8,830

From the funds in Specific Appropriation 2744, $447,700 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2745 EXPENSES
FROM GENERAL REVENUE FUND 1,294,471
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 5,746,336
FROM GAS TAX COLLECTION TRUST FUND 213,265
FROM LAW ENFORCEMENT TRUST FUND 3,752

From the funds in Specific Appropriation 2745, $202,844 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2746 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 234,307

From the funds in Specific Appropriation 2746, $109,307 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2746A LUMP SUM
MAINFRAME CONSOLIDATION
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 124,000

2747 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 172,362
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,712,007
FROM GAS TAX COLLECTION TRUST FUND 17,333

From the funds in Specific Appropriation 2747, $528,467 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2748 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 32,916

2749 SPECIAL CATEGORIES
TAX COLLECTOR NETWORK - COUNTY SYSTEMS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 6,385,729

From the funds in Specific Appropriation 2749, $820,440 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming a law.

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2750 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 3,729,492

From the funds in Specific Appropriation 2750, $504,064 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming a law.

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 1,466,833
FROM TRUST FUNDS 29,872,777

TOTAL POSITIONS 193.00
TOTAL ALL FUNDS 31,339,610

LEGISLATIVE BRANCH

SENATE

2751 LUMP SUM
SENATE
FROM GENERAL REVENUE FUND 36,222,587

HOUSE OF REPRESENTATIVES

2752 LUMP SUM
HOUSE
FROM GENERAL REVENUE FUND 56,566,011

LEGISLATIVE SUPPORT SERVICES

2753 LUMP SUM
FLORIDA ENERGY COMMISSION
FROM GENERAL REVENUE FUND 585,091

2753A LUMP SUM
JOINT LEGISLATIVE SUNSET COMMITTEE
FROM GENERAL REVENUE FUND 574,603

2754 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - SENATE
FROM GENERAL REVENUE FUND 22,467,350
FROM GRANTS AND DONATIONS TRUST FUND . . . 962,163
FROM LEGISLATIVE LOBBYIST REGISTRATION
TRUST FUND 145,032

2755 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - HOUSE
FROM GENERAL REVENUE FUND 22,357,041
FROM GRANTS AND DONATIONS TRUST FUND . . . 950,883
FROM LEGISLATIVE LOBBYIST REGISTRATION
TRUST FUND 143,295

2756 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 262,474
FROM LEGISLATIVE LOBBYIST REGISTRATION
TRUST FUND 341

TOTAL: LEGISLATIVE SUPPORT SERVICES
FROM GENERAL REVENUE FUND 46,246,559
FROM TRUST FUNDS 2,201,714

TOTAL ALL FUNDS 48,448,273

ADMINISTRATIVE PROCEDURES COMMITTEE

2757 LUMP SUM
ADMINISTRATIVE PROCEDURES
FROM GENERAL REVENUE FUND 1,279,023

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2758 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,671

TOTAL: ADMINISTRATIVE PROCEDURES COMMITTEE
FROM GENERAL REVENUE FUND 1,280,694

TOTAL ALL FUNDS 1,280,694

INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE ON

2759 LUMP SUM
LEGISLATIVE COMMITTEE ON INTERGOVERNMENTAL RELATIONS
FROM GENERAL REVENUE FUND 837,652

2760 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,040

TOTAL: INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE ON
FROM GENERAL REVENUE FUND 838,692

TOTAL ALL FUNDS 838,692

OFFICE OF PUBLIC COUNSEL

2761 LUMP SUM
PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,895,991

2762 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 24,955

TOTAL: OFFICE OF PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,920,946

TOTAL ALL FUNDS 2,920,946

ETHICS, COMMISSION ON

2763 LUMP SUM
LOBBY REGISTRATION
FROM EXECUTIVE BRANCH LOBBY REGISTRATION
TRUST FUND 136,445

2764 LUMP SUM
ETHICS COMMISSION
FROM GENERAL REVENUE FUND 2,387,158

2765 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 60,050

2766 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,861
FROM EXECUTIVE BRANCH LOBBY REGISTRATION
TRUST FUND 247

TOTAL: ETHICS, COMMISSION ON
FROM GENERAL REVENUE FUND 2,450,069
FROM TRUST FUNDS 136,692

TOTAL ALL FUNDS 2,586,761

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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APPROPRIATION

2767 EXPENSES
FROM GENERAL REVENUE FUND 75,253

PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF

2768 LUMP SUM
PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY
FROM GENERAL REVENUE FUND 9,065,876

2769 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 11,439

TOTAL: PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF
FROM GENERAL REVENUE FUND 9,077,315

TOTAL ALL FUNDS 9,077,315

AUDITOR GENERAL

2770 LUMP SUM
AUDITOR GENERAL
FROM GENERAL REVENUE FUND 40,194,794

2771 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 71,151

TOTAL: AUDITOR GENERAL
FROM GENERAL REVENUE FUND 40,265,945

TOTAL ALL FUNDS 40,265,945

AUDITING COMMITTEE

2772 LUMP SUM
AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 385,094

2773 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 514

TOTAL: AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 385,608

TOTAL ALL FUNDS 385,608

LOTTERY, DEPARTMENT OF THE

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE 18,416,250

2774 SALARIES AND BENEFITS POSITIONS 440.00
FROM OPERATING TRUST FUND 26,037,103

2775 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 484,796

2776 EXPENSES
FROM OPERATING TRUST FUND 6,579,559

From the funds provided in Specific Appropriation 2776, the Department of the Lottery is directed to continue to develop a plan to consolidate its lease of office space where economical and sublet excess office and warehouse space to suitable tenants. In addition, the department shall continue to report its progress, at least annually, to the President of the Senate, the Speaker of the House of Representatives, the Office of Program Policy Analysis and Government Accountability, and the Joint Legislative Auditing Committee.

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2777 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 427,045

2778 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM OPERATING TRUST FUND 250,000

2779 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 3,226,100

2780 SPECIAL CATEGORIES
INSTANT TICKET PURCHASE
FROM OPERATING TRUST FUND 56,000,000

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2780 in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2781 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM OPERATING TRUST FUND 34,869,453

From the funds in Specific Appropriation 2781, the Department of the Lottery shall expend no more than $3,486,945 for any advertising agency or consultant for strategic planning, marketing communications, public relations, account management and services, media planning, media negotiation and placement, and sales promotions.

From the funds in Specific Appropriation 2781, 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 in Specific Appropriation 2781, the Department of Lottery shall competitively solicit for advertising contracts pursuant to section 287.057, Florida Statutes. The department may not extend or renew the current contracts and shall initiate any competitive solicitations prior to the termination of all current advertising contracts.

From the funds in Specific Appropriation 2781, the Department of the Lottery is authorized to utilize up to $1,300,000 for the purpose of contracting with an appropriate Florida organization to conduct a compulsive gambling program.

2782 SPECIAL CATEGORIES
ONLINE GAMES CONTRACT
FROM OPERATING TRUST FUND 30,340,321

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2782 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 2782 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.

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2784 SPECIAL CATEGORIES
RETAILER INCENTIVES
FROM OPERATING TRUST FUND 2,500,000

2785 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 319,768

2786 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 21,060

2786A SPECIAL CATEGORIES
TRANSFER TO EDUCATIONAL ENHANCEMENT TRUST FUND
FROM OPERATING TRUST FUND 2,000,000

Funds in Specific Appropriation 2786A are provided to transfer unencumbered funds remaining in the Operating Trust Fund at the end of Fiscal Year 2007-2008. In accordance with section 24.121(4), Florida Statutes, and upon the completion of the annual financial statement audit for the period ending June 30, 2008, the Department of the Lottery shall transfer the unencumbered cash balance in the Operating Trust Fund to the Educational Enhancement Trust Fund. If the unencumbered cash balance is less than $2,000,000, the remaining budget authority shall revert to the Operating Trust Fund. In the event the June 30, 2008, unencumbered cash balance exceeds $2,000,000, the department shall submit a budget amendment in accordance with chapter 216, Florida Statutes, and upon approval, transfer the remaining balance.

2787 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 175,249

TOTAL: PROGRAM: LOTTERY OPERATIONS
FROM TRUST FUNDS 163,230,454

TOTAL POSITIONS 440.00
TOTAL ALL FUNDS 163,230,454

MANAGEMENT SERVICES, DEPARTMENT OF

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,700,912

2788 SALARIES AND BENEFITS POSITIONS 82.50
FROM ADMINISTRATIVE TRUST FUND 6,356,417

2789 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 8,700

2790 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 862,552

2791 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 24,688

2792 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 22,519

2793 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 1,000

2794 SPECIAL CATEGORIES
MAIL SERVICES
FROM ADMINISTRATIVE TRUST FUND 200,016

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2795 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 33,914

2796 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM ADMINISTRATIVE TRUST FUND 45,470

2797 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 34,557

2798 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ADMINISTRATIVE TRUST FUND 437,486

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 8,027,319

TOTAL POSITIONS 82.50
TOTAL ALL FUNDS 8,027,319

STATE EMPLOYEE LEASING

APPROVED SALARY RATE 300,208

2799 SALARIES AND BENEFITS POSITIONS 5.00
FROM ADMINISTRATIVE TRUST FUND 480,021

2800 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 481,928

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 481,928

PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

APPROVED SALARY RATE 10,116,754

2801 SALARIES AND BENEFITS POSITIONS 308.50
FROM SUPERVISION TRUST FUND 13,702,187

From the funds in Specific Appropriations 2801 and 2803, the Department of Management Services shall identify two full-time equivalent positions, 140,000 in rate and $245,000 for the purpose of assisting state agencies in the review and analysis of guaranteed energy performance savings contracts.

2802 OTHER PERSONAL SERVICES
FROM SUPERVISION TRUST FUND 17,000

2803 EXPENSES
FROM SUPERVISION TRUST FUND 4,808,809

2803A AID TO LOCAL GOVERNMENTS
GRANT AND AIDS - DEBT SERVICE PAYMENT
FROM GENERAL REVENUE FUND 3,000,000

2804 OPERATING CAPITAL OUTLAY
FROM SUPERVISION TRUST FUND 76,800

2805 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW

SECTION 6
SPECIFIC
APPROPRIATION

ENFORCEMENT - CAPITOL POLICE
FROM SUPERVISION TRUST FUND 5,895,913

2806 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SUPERVISION TRUST FUND 9,012,457

2807 SPECIAL CATEGORIES
DEPARTMENT OF MANAGEMENT SERVICES
PROVISIONS FOR FACILITIES SECURITY
FROM SUPERVISION TRUST FUND 1,196,254

2808 SPECIAL CATEGORIES
INTERIOR REFURBISHMENT - LEASE SPACE
FROM SUPERVISION TRUST FUND 1,346,849

2809 SPECIAL CATEGORIES
MASTER LEASE SPACE TENANT IMPROVEMENT
FUNDS
FROM OPERATING TRUST FUND 929,367

Funds provided in Specific Appropriation 2809 shall be placed in reserve until the department submits to the Legislature an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; identify all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and provide an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislature, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

2810 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SUPERVISION TRUST FUND 234,011

2811 SPECIAL CATEGORIES
STATE UTILITY PAYMENTS
FROM SUPERVISION TRUST FUND 22,144,359

2812 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SUPERVISION TRUST FUND 118,666

2813 SPECIAL CATEGORIES
STATE CAPITOL - MAINTENANCE AND REPAIRS
FROM SUPERVISION TRUST FUND 50,000

2814 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM SUPERVISION TRUST FUND 397,798

2814A FIXED CAPITAL OUTLAY
PLANNING/DESIGN/CONSTRUCTION - CAPITAL
CIRCLE OFFICE COMPLEX - 1ST DISTRICT COURT
OF APPEAL - LEON COUNTY - DMS MGD
FROM FLORIDA FACILITIES POOL WORKING
CAPITAL TRUST FUND 5,500,000

Funds in Specific Appropriation 2814A are provided to the Department of Management Services for the construction of the First District Court of Appeals building and are to be used in conjunction with bond proceeds authorized by the Legislature in chapter 2007-196, Laws of Florida, section 64.

2815 FIXED CAPITAL OUTLAY
LIFE SAFETY CODE COMPLIANCE PROJECTS
STATEWIDE - DMS MGD
FROM SUPERVISION TRUST FUND 465,275

SECTION 6
SPECIFIC
APPROPRIATION

2817 FIXED CAPITAL OUTLAY
ENVIRONMENTAL PROJECTS - DMS MGD
FROM SUPERVISION TRUST FUND 250,000

2818 FIXED CAPITAL OUTLAY
STATEWIDE CAPITAL DEPRECIATION - GENERAL -
DMS MGD
FROM PUBLIC FACILITIES FINANCING TRUST
FUND 1,200,000
FROM SUPERVISION TRUST FUND 2,084,725

2819 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM GENERAL REVENUE FUND 7,305,123
FROM FLORIDA FACILITIES POOL CLEARING
TRUST FUND 29,880,237

TOTAL: FACILITIES MANAGEMENT
FROM GENERAL REVENUE FUND 10,305,123
FROM TRUST FUNDS 99,310,707

TOTAL POSITIONS 308.50
TOTAL ALL FUNDS 109,615,830

BUILDING CONSTRUCTION

Funds in Specific Appropriations 2820 through 2825 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 2008-2009 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 563,721

2820 SALARIES AND BENEFITS POSITIONS 11.00
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 862,991

2821 EXPENSES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 232,236

2822 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 48,273

2823 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 19,194

2824 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 4,228

2825 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 32,593

2825A 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 1,899,515

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 1,899,515

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: SUPPORT PROGRAM

AIRCRAFT MANAGEMENT

The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study of passenger flight services for Second and Third scheduling priority users of the State Executive Aircraft Pool, as defined in 60B-4.006 Florida Administrative Code. The study shall include a comparative analysis of the cost effectiveness of other alternatives for providing such services, including procuring services from the private sector. The study shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than October 1, 2008. The department shall implement any operational efficiencies recommended by OPPAGA. The department shall submit a report to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than December 31, 2008 outlining all efforts taken to comply with these recommendations. If the study finds and OPPAGA recommends that air travel can be furnished in a more cost effective manner through procuring services from the private sector, the department shall pursue outsourcing the executive aircraft pool in accordance with chapter 2006-224, Laws of Florida, within 90 days of receipt of the final report.

Beginning July 1, 2008, the Department shall report quarterly the year-to-date flight hours by department, by priority, by plane and the amount to be billed. The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council.

APPROVED SALARY RATE 765,084

2826	SALARIES AND BENEFITS POSITIONS 15.00 FROM BUREAU OF AIRCRAFT TRUST FUND		991,510
2827	OTHER PERSONAL SERVICES FROM BUREAU OF AIRCRAFT TRUST FUND		39,420
2828	EXPENSES FROM BUREAU OF AIRCRAFT TRUST FUND		1,303,077
2830	SPECIAL CATEGORIES CONTRACTED SERVICES FROM BUREAU OF AIRCRAFT TRUST FUND		12,910
2831	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM BUREAU OF AIRCRAFT TRUST FUND		1,963
2831A	SPECIAL CATEGORIES TRANSFER TO BUREAU OF AIRCRAFT TRUST FUND FROM GENERAL REVENUE FUND	430,000	
2832	SPECIAL CATEGORIES SPECIAL CATEGORIES- AIRCRAFT MAINTENANCE AND REPAIRS FROM BUREAU OF AIRCRAFT TRUST FUND		211,500
2833	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM BUREAU OF AIRCRAFT TRUST FUND		531,750
2834	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM BUREAU OF AIRCRAFT TRUST FUND		5,765
2835	DATA PROCESSING SERVICES STATE TECHNOLOGY OFFICE FROM BUREAU OF AIRCRAFT TRUST FUND		16,229

SECTION 6
SPECIFIC
APPROPRIATION

TOTAL: AIRCRAFT MANAGEMENT FROM GENERAL REVENUE FUND	430,000	
FROM TRUST FUNDS		3,114,124
TOTAL POSITIONS	15.00	
TOTAL ALL FUNDS		3,544,124

FEDERAL PROPERTY ASSISTANCE

APPROVED SALARY RATE 172,201

2836	SALARIES AND BENEFITS POSITIONS 5.00 FROM SURPLUS PROPERTY REVOLVING TRUST FUND		235,085
2837	EXPENSES FROM SURPLUS PROPERTY REVOLVING TRUST FUND		63,679
2838	SPECIAL CATEGORIES CONTRACTED SERVICES FROM SURPLUS PROPERTY REVOLVING TRUST FUND		6,379
2839	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM SURPLUS PROPERTY REVOLVING TRUST FUND		1,157
2840	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM SURPLUS PROPERTY REVOLVING TRUST FUND		1,921
2841	DATA PROCESSING SERVICES STATE TECHNOLOGY OFFICE FROM SURPLUS PROPERTY REVOLVING TRUST FUND		16,141
TOTAL: FEDERAL PROPERTY ASSISTANCE FROM TRUST FUNDS			324,362
TOTAL POSITIONS		5.00	
TOTAL ALL FUNDS			324,362

MOTOR VEHICLE AND WATERCRAFT MANAGEMENT

APPROVED SALARY RATE 423,322

2842	SALARIES AND BENEFITS POSITIONS 8.00 FROM OPERATING TRUST FUND		677,845
2843	EXPENSES FROM OPERATING TRUST FUND		141,419
2844	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND		232
2845	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		1,028
2846	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND		3,460
2847	SPECIAL CATEGORIES PAYMENT OF EXPENSES FROM SALE OF AGENCY		

SECTION 6
SPECIFIC
APPROPRIATION

VEHICLES
FROM OPERATING TRUST FUND 650,000

2848 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND 252,000

TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT
FROM TRUST FUNDS 1,725,984

TOTAL POSITIONS 8.00
TOTAL ALL FUNDS 1,725,984

PURCHASING OVERSIGHT

APPROVED SALARY RATE 3,307,567

2849 SALARIES AND BENEFITS POSITIONS 64.00
FROM GENERAL REVENUE FUND 973,514
FROM OPERATING TRUST FUND 3,415,994

2850 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,200
FROM OPERATING TRUST FUND 53,720

2851 EXPENSES
FROM GENERAL REVENUE FUND 186,925
FROM OPERATING TRUST FUND 492,185

2852 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,690
FROM OPERATING TRUST FUND 29,859

2853 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 23,056
FROM OPERATING TRUST FUND 341,267

From the funds in Specific Appropriation 2853, up to $250,000 shall be transferred to the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an independent study of the state's eProcurement system, MyFloridaMarketPlace. The study shall include, but not be limited to, an examination of the system's cost effectiveness, efficiency, staffing needs, maintenance requirements, functionality, security, and ability to meet the state's business needs. The study shall also include alternative solutions for service delivery, with a timeline for implementation. OPPAGA may contract with a private entity to conduct or assist with the study. The study and its recommendations shall be provided to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than February 1, 2009.

2854 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,253
FROM OPERATING TRUST FUND 6,101

2855 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM GENERAL REVENUE FUND 116,136
FROM OPERATING TRUST FUND 120,000

2856 SPECIAL CATEGORIES
WEB-BASED E-PROCUREMENT SYSTEM
FROM OPERATING TRUST FUND 15,457,000

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2856 in the event revenues available for payment under the MyFloridaMarketPlace contract exceed the amount of budget authority appropriated.

SECTION 6
SPECIFIC
APPROPRIATION

2857 SPECIAL CATEGORIES
PURCHASING BILLING AND COLLECTION CONTRACT
FROM OPERATING TRUST FUND 537,050

2858 SPECIAL CATEGORIES
PROJECT MANAGEMENT PROFESSIONAL - TRAINING
FROM OPERATING TRUST FUND 250,000

2859 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 103,673

2860 SPECIAL CATEGORIES
PRIVATE PRISONS - MAINTENANCE AND REPAIR REIMBURSEMENT
FROM OPERATING TRUST FUND 459,588

2861 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 6,070
FROM OPERATING TRUST FUND 18,839

2862 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GENERAL REVENUE FUND 40,026
FROM OPERATING TRUST FUND 1,519,959

TOTAL: PURCHASING OVERSIGHT
FROM GENERAL REVENUE FUND 1,469,543
FROM TRUST FUNDS 22,701,562

TOTAL POSITIONS 64.00
TOTAL ALL FUNDS 24,171,105

OFFICE OF SUPPLIER DIVERSITY

APPROVED SALARY RATE 487,468

2863 SALARIES AND BENEFITS POSITIONS 11.00
FROM OPERATING TRUST FUND 681,080

2864 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 4,000

2865 EXPENSES
FROM OPERATING TRUST FUND 111,621

2866 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 56,428

2867 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 4,117

2868 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 4,125

2869 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND 51,688

TOTAL: OFFICE OF SUPPLIER DIVERSITY
FROM TRUST FUNDS 913,059

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 913,059

SECTION 6
SPECIFIC
APPROPRIATION
WORKFORCE PROGRAMS

PROGRAM: HUMAN RESOURCE MANAGEMENT

APPROVED SALARY RATE 2,571,234

2870 SALARIES AND BENEFITS POSITIONS 44.00
FROM GENERAL REVENUE FUND 388,981
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 3,061,689

Funds in Specific Appropriations 2870 through 2882 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

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

2871 OTHER PERSONAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 10,000

2872 EXPENSES
FROM GENERAL REVENUE FUND 151,526
FROM OPERATING TRUST FUND 107,426
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 332,268

2873 OPERATING CAPITAL OUTLAY
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 5,000

2874 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 91,508
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 297,032

From the funds in Specific Appropriation 2874, up to $250,000 shall be transferred to the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an independent study of the human resource management system, PeopleFirst. The study shall include, but not be limited to, an examination of the system's cost effectiveness, efficiency, staffing needs, maintenance requirements, functionality, security, and ability to meet the state's business needs. The study shall also include alternative solutions for service delivery, with a timeline for implementation. OPPAGA may contract with a private entity to conduct or assist with the study. The study and its recommendations shall be provided to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than February 1, 2009.

2875 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,850
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 26,987

2876 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 196,000

2877 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 55,145

2878 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 6,283

2879 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 . . 14,794

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SPECIFIC
APPROPRIATION

2880 SPECIAL CATEGORIES
HUMAN RESOURCES SERVICES / STATEWIDE
CONTRACT
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 44,153,424

2881 SPECIAL CATEGORIES
STATE EMPLOYEE'S CHARITABLE CAMPAIGN
FROM GENERAL REVENUE FUND 17,000

2882 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GENERAL REVENUE FUND 27,889
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 141,014

TOTAL: PROGRAM: HUMAN RESOURCE MANAGEMENT
FROM GENERAL REVENUE FUND 739,024
FROM TRUST FUNDS 48,351,917

TOTAL POSITIONS 44.00
TOTAL ALL FUNDS 49,090,941

PROGRAM: INSURANCE BENEFITS ADMINISTRATION

APPROVED SALARY RATE 1,786,101

2883 SALARIES AND BENEFITS POSITIONS 30.00
FROM PRETAX BENEFITS TRUST FUND 505,376
FROM STATE EMPLOYEES LIFE INSURANCE
TRUST FUND 20,647
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 1,780,722
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 27,027

2884 OTHER PERSONAL SERVICES
FROM PRETAX BENEFITS TRUST FUND 2,500
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 2,500

2885 EXPENSES
FROM PRETAX BENEFITS TRUST FUND 84,548
FROM STATE EMPLOYEES LIFE INSURANCE
TRUST FUND 3,484
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 495,376
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 5,375

2886 OPERATING CAPITAL OUTLAY
FROM PRETAX BENEFITS TRUST FUND 10,000
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 10,000

2887 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 24,520

2888 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PRETAX BENEFITS TRUST FUND 363,031
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 553,321

2889 SPECIAL CATEGORIES
ADMINISTRATIVE SERVICES ONLY CONTRACT FOR
HEALTH INSURANCE
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 22,500,000

2890 SPECIAL CATEGORIES
PRESCRIPTION DRUG CLAIMS ADMINISTRATION

SECTION 6
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APPROPRIATION

FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 73,864

2891 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PRETAX BENEFITS TRUST FUND 7,124
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 1,239
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 21,992
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 619

2892 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 25,000

2893 SPECIAL CATEGORIES
PAYMENT OF EMPLOYER CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNT CUSTODIAN
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 786,443

2894 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 4,174

2895 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 14,823
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 166

2896 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM PRETAX BENEFITS TRUST FUND 40,000
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 8,099
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 162,172
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 15,006

TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION
FROM TRUST FUNDS 27,554,480

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 27,554,480

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,743,983

2897 SALARIES AND BENEFITS POSITIONS 194.00
FROM OPERATING TRUST FUND 9,583,594
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 136,347
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 767,958
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 40,132

Funds in Specific Appropriations 2897 through 2906 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.

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APPROPRIATION

2898 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 6,029
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 100

2899 EXPENSES
FROM OPERATING TRUST FUND 3,224,317
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 14,133
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 68,939
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 11,370

2900 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 222,509
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 4,000
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 3,500

2901 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM OPERATING TRUST FUND 44,537

2902 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 37,000
FROM OPERATING TRUST FUND 3,865,468
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 79,100
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 30,000

2903 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 127,680

2904 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 61,265

2905 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 166,536
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 100

2906 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

2907 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND 183,603

2908 PENSIONS AND BENEFITS
DISABILITY BENEFITS TO JUSTICES AND JUDGES
FROM GENERAL REVENUE FUND 743,000

2909 PENSIONS AND BENEFITS
FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 12,260,000

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APPROPRIATION

2911 PENSIONS AND BENEFITS
STATE OFFICERS AND EMPLOYEES (NON-CONTRIBUTORY)
FROM GENERAL REVENUE FUND 1,171,768

2912 PENSIONS AND BENEFITS
TEACHER'S SPECIAL PENSIONS
FROM GENERAL REVENUE FUND 2,600

TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION
FROM GENERAL REVENUE FUND 14,214,368
FROM TRUST FUNDS 18,716,184

TOTAL POSITIONS 194.00
TOTAL ALL FUNDS 32,930,552

PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

APPROVED SALARY RATE 4,064,445

2913 SALARIES AND BENEFITS POSITIONS 77.50
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 5,036,754
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 457,603

2914 OTHER PERSONAL SERVICES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 30,715

2915 EXPENSES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 906,490
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 777,620

2916 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - WIRELESS 911 TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 57,403,884

2917 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO SERVICE PROVIDERS - WIRELESS 911 TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 22,930,000

2918 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - NON-WIRELESS E911
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 59,013,416

2918A AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - E911 GRANT PROGRAM
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 25,000,000

2919 OPERATING CAPITAL OUTLAY
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 96,000

2920 SPECIAL CATEGORIES
CENTREX AND SUNCOM PAYMENTS
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 127,549,588

2921 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 2,106,533
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 161,649

2922 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 9,635
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 401

2923 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 96,000

2924 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

2925 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 1,303,288
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 4,140

TOTAL: TELECOMMUNICATIONS SERVICES
FROM TRUST FUNDS 302,913,785

TOTAL POSITIONS 77.50
TOTAL ALL FUNDS 302,913,785

WIRELESS SERVICES

APPROVED SALARY RATE 980,969

2926 SALARIES AND BENEFITS POSITIONS 14.00
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 191,709
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 1,104,715

2927 EXPENSES
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 14,513
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 431,413

2928 OPERATING CAPITAL OUTLAY
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 22,000

2929 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 6,768,000

2930 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 651
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 537
FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST 407
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 683

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2931 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 20,000

2932 SPECIAL CATEGORIES
STATEWIDE LAW ENFORCEMENT RADIO SYSTEM CONTRACT PAYMENT
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 18,220,000

2933 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 580
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 872
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 4,008

2934 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND 17,217

TOTAL: WIRELESS SERVICES
FROM GENERAL REVENUE FUND 1,231
FROM TRUST FUNDS 26,796,074

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 26,797,305

INFORMATION SERVICES

APPROVED SALARY RATE 2,226,035

2935 SALARIES AND BENEFITS POSITIONS 40.00
FROM GENERAL REVENUE FUND 163,848
FROM WORKING CAPITAL TRUST FUND 2,847,852

2936 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 485,620

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriations 2936, 2937, 2939, 2942 and 2943 from the Working Capital Trust Fund, in order to provide services to user agencies. Budget amendment requests must be justified with signed service level agreements with the user agencies.

2937 EXPENSES
FROM GENERAL REVENUE FUND 15,696
FROM WORKING CAPITAL TRUST FUND 2,116,162

2938 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 228,564

2939 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND 4,097,703

2940 SPECIAL CATEGORIES
STATE PORTAL DEVELOPMENT
FROM GENERAL REVENUE FUND 163,000

2941 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 98
FROM WORKING CAPITAL TRUST FUND 7,862

2942 SPECIAL CATEGORIES
APPLICATIONS MANAGEMENT CONTRACT FOR DATA CENTER
FROM WORKING CAPITAL TRUST FUND 480,000

2943 SPECIAL CATEGORIES
DATA PROCESSING CONTRACTS FOR DATA CENTER
FROM WORKING CAPITAL TRUST FUND 1,662,457

2944 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM WORKING CAPITAL TRUST FUND 314,479

2945 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 922
FROM WORKING CAPITAL TRUST FUND 17,658

2946 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM WORKING CAPITAL TRUST FUND 1,000

TOTAL: INFORMATION SERVICES
FROM GENERAL REVENUE FUND 343,564
FROM TRUST FUNDS 12,259,357

TOTAL POSITIONS 40.00
TOTAL ALL FUNDS 12,602,921

PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION

PUBLIC EMPLOYEES RELATIONS

APPROVED SALARY RATE 2,053,249

2947 SALARIES AND BENEFITS POSITIONS 30.00
FROM GENERAL REVENUE FUND 1,406,293
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND 1,277,671

2948 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,277
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND 55,863

2949 EXPENSES
FROM GENERAL REVENUE FUND 33,587
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND 391,452

2950 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 7,399
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND 5,721

2951 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 35,070

2952 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 14,952
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND 14,952

2953 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 51,314

2954 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES

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PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	6,987	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		6,024
2955 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM GENERAL REVENUE FUND	14,719	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		17,498
TOTAL: PUBLIC EMPLOYEES RELATIONS		
FROM GENERAL REVENUE FUND	1,579,598	
FROM TRUST FUNDS		1,769,181
TOTAL POSITIONS	30.00	
TOTAL ALL FUNDS		3,348,779

PROGRAM: COMMISSION ON HUMAN RELATIONS

HUMAN RELATIONS

APPROVED SALARY RATE 2,598,945

2956 SALARIES AND BENEFITS POSITIONS	64.00	
FROM GENERAL REVENUE FUND	2,765,872	
FROM OPERATING TRUST FUND		845,987
2957 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	37,800	
FROM OPERATING TRUST FUND		77,040
2958 EXPENSES		
FROM GENERAL REVENUE FUND	317,612	
FROM OPERATING TRUST FUND		134,184
2959 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,736	
2960 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	483,685	
FROM OPERATING TRUST FUND		220,399
2961 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	28,506	
FROM OPERATING TRUST FUND		36,000
2962 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	26,263	
FROM OPERATING TRUST FUND		6,339
2963 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
2964 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM OPERATING TRUST FUND		143,896
TOTAL: HUMAN RELATIONS		
FROM GENERAL REVENUE FUND	3,681,600	
FROM TRUST FUNDS		1,469,419
TOTAL POSITIONS	64.00	
TOTAL ALL FUNDS		5,151,019

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ADMINISTRATIVE HEARINGS

PROGRAM: ADJUDICATION OF DISPUTES

APPROVED SALARY RATE 5,671,742

2965 SALARIES AND BENEFITS POSITIONS	69.00	
FROM OPERATING TRUST FUND		7,206,714
2966 OTHER PERSONAL SERVICES		
FROM OPERATING TRUST FUND		36,391
2967 EXPENSES		
FROM OPERATING TRUST FUND		1,152,635
2968 OPERATING CAPITAL OUTLAY		
FROM OPERATING TRUST FUND		65,000
2969 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM OPERATING TRUST FUND		195,475
2970 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		51,305
2971 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		8,735,002
TOTAL POSITIONS	69.00	
TOTAL ALL FUNDS		8,735,002

PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS

APPROVED SALARY RATE 10,218,142

2972 SALARIES AND BENEFITS POSITIONS	198.00	
FROM OPERATING TRUST FUND		13,410,455
2973 OTHER PERSONAL SERVICES		
FROM OPERATING TRUST FUND		230,000
2974 EXPENSES		
FROM OPERATING TRUST FUND		3,270,218
2975 OPERATING CAPITAL OUTLAY		
FROM OPERATING TRUST FUND		28,796
2976 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM OPERATING TRUST FUND		1,136,549
2977 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		66,758
2978 SPECIAL CATEGORIES		
CONTRACTED LEGAL SERVICES		
FROM OPERATING TRUST FUND		2,500
2979 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM OPERATING TRUST FUND		80,066

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TOTAL: PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS
FROM TRUST FUNDS 18,225,342

TOTAL POSITIONS 198.00
TOTAL ALL FUNDS 18,225,342

MILITARY AFFAIRS, DEPARTMENT OF

From the funds in Specific Appropriation 3017, any expenditures from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that any reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

2981 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 75,000
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 345,000

2982 OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 100,000

2983 SPECIAL CATEGORIES
ACCOUNTING SERVICES
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 10,000

2984 SPECIAL CATEGORIES
PROJECTS, CONTRACTS AND GRANTS
FROM FEDERAL GRANTS TRUST FUND 6,600,000

2985 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 50,000

2986 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 20,000

TOTAL: DRUG INTERDICTION AND PREVENTION
FROM TRUST FUNDS 7,200,000

TOTAL ALL FUNDS 7,200,000

MILITARY READINESS AND RESPONSE

APPROVED SALARY RATE 3,204,556

2987 SALARIES AND BENEFITS POSITIONS 92.00
FROM GENERAL REVENUE FUND 3,156,254
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 1,068,075

2988 OTHER PERSONAL SERVICES
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 18,172

2989 EXPENSES
FROM GENERAL REVENUE FUND 4,815,585
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 90,000

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2990 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 188,930

2991 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 106,869
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 113,678

2992 SPECIAL CATEGORIES
NATIONAL GUARD TUITION ASSISTANCE
FROM GENERAL REVENUE FUND 1,781,900

2993 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 372,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 25,000

2994 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 190,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 25,000

2995 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 89,895

2996 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

2997 FIXED CAPITAL OUTLAY
FLORIDA READINESS CENTERS REVITALIZATION PLAN - STATEWIDE
FROM GENERAL REVENUE FUND 3,145,372

From the funds provided in Specific Appropriation 2997, the Department of Military Affairs may coordinate with the Department of Management Services on the feasibility of establishing guaranteed energy performance savings contracting, as specified in section 489.145, Florida Statutes, as part of its energy conservation initiatives for the Fixed Capital Improvement Program for Armory Revitalization.

TOTAL: MILITARY READINESS AND RESPONSE
FROM GENERAL REVENUE FUND 13,784,433
FROM TRUST FUNDS 1,439,150

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 15,223,583

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,871,111

2998 SALARIES AND BENEFITS POSITIONS 52.00
FROM GENERAL REVENUE FUND 3,727,228
FROM FEDERAL GRANTS TRUST FUND 316,277

2999 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 70,744

3000 EXPENSES
FROM GENERAL REVENUE FUND 829,409
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 48,952
FROM FEDERAL GRANTS TRUST FUND 54,001

3001 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 43,074
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 74,500
FROM FEDERAL GRANTS TRUST FUND 49,000

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3002 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 43,939

3003 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 77,000

3004 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM GENERAL REVENUE FUND 55,000

3005 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 35,000

3006 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 30,000

3007 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 202,351

3007A SPECIAL CATEGORIES
WORKER'S COMPENSATION FOR STATE ACTIVE
DUTY - FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 509,628

3008 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,275
FROM FEDERAL GRANTS TRUST FUND 1,757

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 5,642,648
FROM TRUST FUNDS 544,487

TOTAL POSITIONS 52.00
TOTAL ALL FUNDS 6,187,135

FEDERAL/STATE COOPERATIVE AGREEMENTS

APPROVED SALARY RATE 6,395,101

3009 SALARIES AND BENEFITS POSITIONS 190.00
FROM GENERAL REVENUE FUND 8,229
FROM FEDERAL GRANTS TRUST FUND 8,347,569

3010 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 87,000

3011 EXPENSES
FROM GENERAL REVENUE FUND 221,540
FROM FEDERAL GRANTS TRUST FUND 10,879,230

3012 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 415,000

3013 FOOD PRODUCTS
FROM FEDERAL GRANTS TRUST FUND 250,000

3014 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND 744,500

3015 SPECIAL CATEGORIES
LABORATORY SERVICES
FROM FEDERAL GRANTS TRUST FUND 70,000

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3016 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 443,150
FROM FEDERAL GRANTS TRUST FUND 8,480,000

3017 SPECIAL CATEGORIES
GRANTS AND AIDS - WAGES CONTRACTING WITH
MILITARY AFFAIRS
FROM WELFARE TRANSITION TRUST FUND 2,000,000

3018 SPECIAL CATEGORIES
ENGINEERING CONSULTANTS
FROM FEDERAL GRANTS TRUST FUND 30,000

3019 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL GRANTS TRUST FUND 620,000

3020 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND 82,195

3021 FIXED CAPITAL OUTLAY
CONSTRUCTION AMMUNITION STORAGE POINT -
CAMP BLANDING, JOINT TRAINING CENTER,
FLORIDA
FROM FEDERAL GRANTS TRUST FUND 12,249,000

3022 FIXED CAPITAL OUTLAY
CONSTRUCTION - REGIONAL TRAINING INSTITUTE
- CAMP BLANDING TRAINING SITE
FROM FEDERAL GRANTS TRUST FUND 20,000,000

3023 FIXED CAPITAL OUTLAY
CONSTRUCTION - DATA CENTER - SAINT
AUGUSTINE, FLORIDA
FROM FEDERAL GRANTS TRUST FUND 1,500,000

TOTAL: FEDERAL/STATE COOPERATIVE AGREEMENTS
FROM GENERAL REVENUE FUND 672,919
FROM TRUST FUNDS 65,754,494

TOTAL POSITIONS 190.00
TOTAL ALL FUNDS 66,427,413

PUBLIC SERVICE COMMISSION

PROGRAM: UTILITIES REGULATION/CONSUMER ASSISTANCE

APPROVED SALARY RATE 16,960,149

3024 SALARIES AND BENEFITS POSITIONS 331.00
FROM REGULATORY TRUST FUND 22,225,352

3025 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 200,588

3026 EXPENSES
FROM REGULATORY TRUST FUND 4,280,019

From the funds in Specific Appropriation 3026, up to $150,000 may be used by the Florida Public Service Commission to promote the Lifeline Assistance Program, with an emphasis on rural areas of the state and low-income areas of the state, for the purpose of increasing public awareness and understanding of the program. If the commission procures any services to achieve this purpose, the services shall be procured through a competitive request for proposals.

3027 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 387,546

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3028 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM REGULATORY TRUST FUND 72,055

3029 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 479,706

From the funds in Specific Appropriation 3029, $250,000 from the Regulatory Trust Fund is appropriated contingent upon House Bill 7135 or similar legislation becoming law.

3030 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 87,433

3031 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 132,588

3032 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM REGULATORY TRUST FUND 76,708

TOTAL: PROGRAM: UTILITIES REGULATION/CONSUMER ASSISTANCE
FROM TRUST FUNDS 27,941,995

TOTAL POSITIONS 331.00
TOTAL ALL FUNDS 27,941,995

REVENUE, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 14,426,518

3033 SALARIES AND BENEFITS POSITIONS 285.00
FROM GENERAL REVENUE FUND 11,704,654
FROM FEDERAL GRANTS TRUST FUND 4,607,879
FROM OPERATING TRUST FUND 2,497,163

3034 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 73,740

3035 EXPENSES
FROM GENERAL REVENUE FUND 514,201
FROM FEDERAL GRANTS TRUST FUND 461,726
FROM OPERATING TRUST FUND 1,346,164

3036 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 106,929
FROM OPERATING TRUST FUND 117,985

3037 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM FEDERAL GRANTS TRUST FUND 1,151,971
FROM OPERATING TRUST FUND 614,996

3038 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 356,383
FROM FEDERAL GRANTS TRUST FUND 281,028
FROM OPERATING TRUST FUND 1,053,170

3039 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 117,260
FROM FEDERAL GRANTS TRUST FUND 6,514
FROM OPERATING TRUST FUND 93,374

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3040 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,678,543
FROM FEDERAL GRANTS TRUST FUND 172,234
FROM OPERATING TRUST FUND 288,499

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 14,477,970
FROM TRUST FUNDS 12,766,443

TOTAL POSITIONS 285.00
TOTAL ALL FUNDS 27,244,413

PROGRAM: PROPERTY TAX OVERSIGHT PROGRAM

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 5,078,597

3041 SALARIES AND BENEFITS POSITIONS 111.00
FROM GENERAL REVENUE FUND 6,497,869
FROM CERTIFICATION PROGRAM TRUST FUND . . 50,000

3042 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,455

3043 EXPENSES
FROM GENERAL REVENUE FUND 1,355,253

From the funds in Specific Appropriation 3043, no more than $19,000 may be used to make payments for the use of property leased pursuant to Lease Number 730:0165, relating to 3670 "B" North L Street, Pensacola, Florida. It is the intent of the Legislature that the Department of Revenue renegotiate such lease to occupy no more than 33,519 square feet at that location. No other funds in Specific Appropriation 3043 may be used to make payments pursuant to this lease.

From the funds in Specific Appropriation 3043, no more than $12,000 may be used to make payments for the use of property leased pursuant to Lease Number 730:0248, relating to 1415 South Fourteenth Street, Suite 1, Leesburg, Florida. It is the intent of the Legislature that the Department of Revenue renegotiate such lease to occupy no more than 16,945 square feet at that location. No other funds in Specific Appropriation 3043 may be used to make payments pursuant to this lease.

3044 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 16,012

3045 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 601,393

3046 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 72,982

TOTAL: COMPLIANCE DETERMINATION
FROM GENERAL REVENUE FUND 8,555,964
FROM TRUST FUNDS 50,000

TOTAL POSITIONS 111.00
TOTAL ALL FUNDS 8,605,964

COMPLIANCE ASSISTANCE

APPROVED SALARY RATE 2,683,234

3047 SALARIES AND BENEFITS POSITIONS 63.00
FROM GENERAL REVENUE FUND 3,610,128
FROM CERTIFICATION PROGRAM TRUST FUND . . 150,000

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3048 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	9,715	
3049 EXPENSES		
FROM GENERAL REVENUE FUND	132,459	
3050 AID TO LOCAL GOVERNMENTS		
AERIAL PHOTOGRAPHY AND MAPPING		
FROM GENERAL REVENUE FUND	450,000	
FROM CERTIFICATION PROGRAM TRUST FUND . .		876,266
3051 AID TO LOCAL GOVERNMENTS		
GEOGRAPHICAL INFORMATION SYSTEM MAPPING GRANT PROGRAM		
FROM GENERAL REVENUE FUND	75,000	
3052 AID TO LOCAL GOVERNMENTS		
COUNTY TAX FORMS		
FROM GENERAL REVENUE FUND	105,000	
3054 SPECIAL CATEGORIES		
PROPERTY APPRAISER AND TAX COLLECTOR CERTIFICATION PROGRAM		
FROM CERTIFICATION PROGRAM TRUST FUND . .		485,000
3055 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	572,600	
3056 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	33,776	
3056A SPECIAL CATEGORIES		
FISCALLY CONSTRAINED COUNTIES		
FROM GENERAL REVENUE FUND	10,000,000	
TOTAL: COMPLIANCE ASSISTANCE		
FROM GENERAL REVENUE FUND	14,988,678	
FROM TRUST FUNDS		1,511,266
TOTAL POSITIONS	63.00	
TOTAL ALL FUNDS		16,499,944

PROGRAM: CHILD SUPPORT ENFORCEMENT PROGRAM

CASE PROCESSING

APPROVED SALARY RATE 30,207,978

3057 SALARIES AND BENEFITS POSITIONS	1,043.00	
FROM GENERAL REVENUE FUND	12,621,054	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		701,808
FROM FEDERAL GRANTS TRUST FUND		26,615,556
3058 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	59,699	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		84,936
FROM FEDERAL GRANTS TRUST FUND		280,762
3059 EXPENSES		
FROM GENERAL REVENUE FUND	3,371,885	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		290,436
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		7,014
FROM FEDERAL GRANTS TRUST FUND		7,133,420

SECTION 6
SPECIFIC
APPROPRIATION

No funds in Specific Appropriations 3059, 3067, 3076, and 3083 may be used to make payments for the use of properties pursuant to Lease Number 730:0286, relating to 125 North Main Street, Suite 201, Belle Glade, Florida, and Lease Number 730:0273, relating to 190 Williams Avenue, Port Saint Joe, Florida.

3060 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	65,998	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		1,734
FROM FEDERAL GRANTS TRUST FUND		131,476
3061 SPECIAL CATEGORIES		
CHILD SUPPORT ENFORCEMENT ANNUAL FEE		
FROM GENERAL REVENUE FUND	1,980,000	
3062 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,497,116	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		13,022,774
FROM FEDERAL GRANTS TRUST FUND		33,610,360
3063 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	156,418	
FROM FEDERAL GRANTS TRUST FUND		303,635
3064 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	2,246,592	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		55,745
FROM FEDERAL GRANTS TRUST FUND		4,469,239
TOTAL: CASE PROCESSING		
FROM GENERAL REVENUE FUND	24,998,762	
FROM TRUST FUNDS		86,708,895
TOTAL POSITIONS	1,043.00	
TOTAL ALL FUNDS		111,707,657

REMITTANCE AND DISTRIBUTION

APPROVED SALARY RATE 1,896,498

3065 SALARIES AND BENEFITS POSITIONS	64.00	
FROM GENERAL REVENUE FUND	982,588	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		27,351
FROM FEDERAL GRANTS TRUST FUND		1,960,787
3066 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	8,298	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		2,161
FROM FEDERAL GRANTS TRUST FUND		20,304
3067 EXPENSES		
FROM GENERAL REVENUE FUND	154,043	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		281,893
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		786
FROM FEDERAL GRANTS TRUST FUND		847,754
3068 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	4,862	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		1,683
FROM FEDERAL GRANTS TRUST FUND		12,706
3069 SPECIAL CATEGORIES		
TRANSFER GENERAL REVENUE TO CHILD SUPPORT		

SECTION 6
SPECIFIC
APPROPRIATION

ENFORCEMENT		
FROM GENERAL REVENUE FUND	2,241,987	
3070 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,576,547	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		12,239,853
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND		1,800,000
FROM FEDERAL GRANTS TRUST FUND		34,214,138
3071 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	9,648	
FROM FEDERAL GRANTS TRUST FUND		18,729
3072 FINANCIAL ASSISTANCE PAYMENTS		
CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		750,000
3073 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	2,139,625	
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND		10,022
FROM FEDERAL GRANTS TRUST FUND		4,153,389
TOTAL: REMITTANCE AND DISTRIBUTION		
FROM GENERAL REVENUE FUND	10,117,598	
FROM TRUST FUNDS		56,341,556
TOTAL POSITIONS	64.00	
TOTAL ALL FUNDS		66,459,154

ESTABLISHMENT

APPROVED SALARY RATE 19,966,356

3074 SALARIES AND BENEFITS POSITIONS	576.00	
FROM GENERAL REVENUE FUND	8,895,404	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		220,059
FROM FEDERAL GRANTS TRUST FUND		17,698,579
3075 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	17,162	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		69,158
FROM FEDERAL GRANTS TRUST FUND		167,561
3076 EXPENSES		
FROM GENERAL REVENUE FUND	2,452,332	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		281,893
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		2,411
FROM FEDERAL GRANTS TRUST FUND		5,312,292
3077 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	31,638	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		11,239
FROM FEDERAL GRANTS TRUST FUND		83,233
3078 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,919,390	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		13,221,336
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		710,773
FROM FEDERAL GRANTS TRUST FUND		29,276,327
3079 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	85,827	
FROM FEDERAL GRANTS TRUST FUND		166,605
3080 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	1,898,144	
FROM FEDERAL GRANTS TRUST FUND		3,684,632
TOTAL: ESTABLISHMENT		
FROM GENERAL REVENUE FUND	18,299,897	
FROM TRUST FUNDS		70,906,098
TOTAL POSITIONS	576.00	
TOTAL ALL FUNDS		89,205,995

COMPLIANCE

APPROVED SALARY RATE 20,706,704

3081 SALARIES AND BENEFITS POSITIONS	637.00	
FROM GENERAL REVENUE FUND	9,987,267	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		228,584
FROM FEDERAL GRANTS TRUST FUND		19,075,979
3082 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	16,841	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		47,745
FROM FEDERAL GRANTS TRUST FUND		125,373
3083 EXPENSES		
FROM GENERAL REVENUE FUND	2,393,553	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		3,125
FROM FEDERAL GRANTS TRUST FUND		4,652,375
3084 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	29,531	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		15,496
FROM FEDERAL GRANTS TRUST FUND		87,404
3085 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,132,624	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		6,498,022
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		371,449
FROM FEDERAL GRANTS TRUST FUND		13,634,454
3086 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	95,162	
FROM FEDERAL GRANTS TRUST FUND		184,728
TOTAL: COMPLIANCE		
FROM GENERAL REVENUE FUND	16,654,978	
FROM TRUST FUNDS		44,924,734
TOTAL POSITIONS	637.00	
TOTAL ALL FUNDS		61,579,712

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: GENERAL TAX ADMINISTRATION PROGRAM

TAX PROCESSING

	APPROVED SALARY RATE	13,686,902	
3087	SALARIES AND BENEFITS POSITIONS	447.00	
	FROM GENERAL REVENUE FUND	16,786,048	
	FROM FEDERAL GRANTS TRUST FUND		2,967,537
	FROM OPERATING TRUST FUND		3,048,629
3088	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		35,263
	FROM OPERATING TRUST FUND		22,157
3089	EXPENSES		
	FROM GENERAL REVENUE FUND	2,067,991	
	FROM FEDERAL GRANTS TRUST FUND		788,991
	FROM OPERATING TRUST FUND		1,733,172
3090	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AID TO LOCAL GOVERNMENT/		
	DISTRIBUTION TO CLERKS OF COURT		
	FROM THE DEPARTMENT OF REVENUE CLERKS OF		
	THE COURT TRUST FUND		31,500,000
3091	AID TO LOCAL GOVERNMENTS		
	EMERGENCY DISTRIBUTIONS		
	FROM LOCAL GOVERNMENT HALF-CENT SALES		
	TAX CLEARING TRUST FUND		18,221,042
3092	AID TO LOCAL GOVERNMENTS		
	INMATE SUPPLEMENTAL DISTRIBUTION		
	FROM LOCAL GOVERNMENT HALF-CENT SALES		
	TAX CLEARING TRUST FUND		592,958
3093	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	240,988	
	FROM FEDERAL GRANTS TRUST FUND		5,377
	FROM OPERATING TRUST FUND		190,466
3094	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	769,584	
	FROM FEDERAL GRANTS TRUST FUND		268,642
	FROM OPERATING TRUST FUND		722,581
3095	SPECIAL CATEGORIES		
	PURCHASE OF SERVICES - COLLECTION AGENCIES		
	FROM OPERATING TRUST FUND		97,049
3096	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	131,425	
	FROM OPERATING TRUST FUND		50,120
TOTAL:	TAX PROCESSING		
	FROM GENERAL REVENUE FUND	19,996,036	
	FROM TRUST FUNDS		60,243,984
	TOTAL POSITIONS	447.00	
	TOTAL ALL FUNDS		80,240,020

TAXPAYER AID

	APPROVED SALARY RATE	5,950,959	
3097	SALARIES AND BENEFITS POSITIONS	148.00	
	FROM GENERAL REVENUE FUND	7,613,088	
	FROM FEDERAL GRANTS TRUST FUND		143,082
	FROM OPERATING TRUST FUND		380,183

SECTION 6
SPECIFIC
APPROPRIATION

3098	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		14,195
	FROM OPERATING TRUST FUND		5,042
3099	EXPENSES		
	FROM GENERAL REVENUE FUND	985,571	
	FROM FEDERAL GRANTS TRUST FUND		298,627
	FROM OPERATING TRUST FUND		681,889
3100	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		2,161
	FROM OPERATING TRUST FUND		54,485
3101	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	320,938	
	FROM FEDERAL GRANTS TRUST FUND		126,315
	FROM OPERATING TRUST FUND		138,216
3102	SPECIAL CATEGORIES		
	PURCHASE OF SERVICES - COLLECTION AGENCIES		
	FROM OPERATING TRUST FUND		39,000
3103	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	52,812	
	FROM OPERATING TRUST FUND		20,142
TOTAL:	TAXPAYER AID		
	FROM GENERAL REVENUE FUND	8,972,409	
	FROM TRUST FUNDS		1,903,337
	TOTAL POSITIONS	148.00	
	TOTAL ALL FUNDS		10,875,746

COMPLIANCE DETERMINATION

	APPROVED SALARY RATE	49,291,619	
3104	SALARIES AND BENEFITS POSITIONS	1,116.50	
	FROM GENERAL REVENUE FUND	38,166,491	
	FROM FEDERAL GRANTS TRUST FUND		7,342,645
	FROM OPERATING TRUST FUND		12,915,774
3105	OTHER PERSONAL SERVICES		
	FROM FEDERAL GRANTS TRUST FUND		90,767
	FROM OPERATING TRUST FUND		46,147
3106	EXPENSES		
	FROM GENERAL REVENUE FUND	1,827,438	
	FROM FEDERAL GRANTS TRUST FUND		2,070,982
	FROM OPERATING TRUST FUND		8,103,828

No funds in Specific Appropriation 3106 may be used to make payments for the use of properties leased pursuant to Lease Number 730:0275, relating to 8118 Corporate Way, Suite 140m, Mason, Ohio and Lease Number 730:0224, relating to 215 West Church Road, Suite 299, King of Prussia, Pennsylvania.

3107	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,350	
	FROM FEDERAL GRANTS TRUST FUND		13,845
	FROM OPERATING TRUST FUND		318,788
3108	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,796,983	
	FROM FEDERAL GRANTS TRUST FUND		652,281
	FROM OPERATING TRUST FUND		919,838
3109	SPECIAL CATEGORIES		
	PURCHASE OF SERVICES - COLLECTION AGENCIES		
	FROM OPERATING TRUST FUND		249,900

SECTION 6
SPECIFIC
APPROPRIATION

3110 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	338,413	
FROM OPERATING TRUST FUND		129,058
TOTAL: COMPLIANCE DETERMINATION		
FROM GENERAL REVENUE FUND	42,130,675	
FROM TRUST FUNDS		32,853,853
TOTAL POSITIONS	1,116.50	
TOTAL ALL FUNDS		74,984,528

COMPLIANCE RESOLUTION

APPROVED SALARY RATE 20,636,920

3111 SALARIES AND BENEFITS POSITIONS	566.50	
FROM GENERAL REVENUE FUND	21,280,569	
FROM FEDERAL GRANTS TRUST FUND		3,896,344
FROM OPERATING TRUST FUND		5,102,333
3112 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	6,292	
FROM FEDERAL GRANTS TRUST FUND		41,347
FROM OPERATING TRUST FUND		39,606
3113 EXPENSES		
FROM GENERAL REVENUE FUND	2,791,814	
FROM FEDERAL GRANTS TRUST FUND		932,694
FROM OPERATING TRUST FUND		1,970,688
3114 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	22,218	
FROM FEDERAL GRANTS TRUST FUND		6,318
FROM OPERATING TRUST FUND		109,342
3115 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	929,314	
FROM FEDERAL GRANTS TRUST FUND		310,497
FROM OPERATING TRUST FUND		433,371
3116 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM OPERATING TRUST FUND		114,051
3117 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	154,445	
FROM OPERATING TRUST FUND		58,903
TOTAL: COMPLIANCE RESOLUTION		
FROM GENERAL REVENUE FUND	25,184,652	
FROM TRUST FUNDS		13,015,494
TOTAL POSITIONS	566.50	
TOTAL ALL FUNDS		38,200,146

PROGRAM: INFORMATION SERVICES PROGRAM

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 8,380,366

3118 SALARIES AND BENEFITS POSITIONS	200.00	
FROM GENERAL REVENUE FUND	8,015,537	
FROM FEDERAL GRANTS TRUST FUND		604,946
FROM OPERATING TRUST FUND		2,613,467
3119 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	172,260	
FROM OPERATING TRUST FUND		29,252

SECTION 6
SPECIFIC
APPROPRIATION

3120 EXPENSES		
FROM GENERAL REVENUE FUND	230,125	
FROM FEDERAL GRANTS TRUST FUND		212,063
FROM OPERATING TRUST FUND		2,313,234
3121 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	152,233	
FROM FEDERAL GRANTS TRUST FUND		34,094
FROM OPERATING TRUST FUND		1,469,809
3122 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	688	
FROM FEDERAL GRANTS TRUST FUND		784,476
FROM OPERATING TRUST FUND		3,435,729
3123 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	44,165	
FROM OPERATING TRUST FUND		29,699
3123A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,970	
3124 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	74,714	
FROM OPERATING TRUST FUND		309,286
3125 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM GENERAL REVENUE FUND	167,761	
FROM OPERATING TRUST FUND		186,812
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	8,863,453	
FROM TRUST FUNDS		12,022,867
TOTAL POSITIONS	200.00	
TOTAL ALL FUNDS		20,886,320

STATE, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,650,480

3126 SALARIES AND BENEFITS POSITIONS	49.00	
FROM GENERAL REVENUE FUND	3,291,034	
FROM GRANTS AND DONATIONS TRUST FUND . . .		91,068
3127 EXPENSES		
FROM GENERAL REVENUE FUND	474,892	
3128 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	5,000	
3129 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	6,005	
3130 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	69,000	

SECTION 6
SPECIFIC
APPROPRIATION

3131 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,413

3132 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 21,743
FROM GRANTS AND DONATIONS TRUST FUND . . . 541

3133 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 31,807

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 3,911,894
FROM TRUST FUNDS 91,609

TOTAL POSITIONS 49.00
TOTAL ALL FUNDS 4,003,503

PROGRAM: ELECTIONS

ELECTIONS

APPROVED SALARY RATE 2,888,247

3134 SALARIES AND BENEFITS POSITIONS 69.00
FROM GENERAL REVENUE FUND 1,638,405
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,269,714

3135 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 87,150
FROM GRANTS AND DONATIONS TRUST FUND . . . 225,000

3136 EXPENSES
FROM GENERAL REVENUE FUND 844,947
FROM GRANTS AND DONATIONS TRUST FUND . . . 637,882

3138 AID TO LOCAL GOVERNMENTS
SPECIAL ELECTIONS
FROM GENERAL REVENUE FUND 838,085

3139 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 73,086
FROM GRANTS AND DONATIONS TRUST FUND . . . 12,500

3140 SPECIAL CATEGORIES
ADVERTISING OF PROPOSED AMENDMENTS TO THE CONSTITUTION
FROM GENERAL REVENUE FUND 226,734

3142 SPECIAL CATEGORIES
VOTING SYSTEMS ASSISTANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 525,000

3143 SPECIAL CATEGORIES
STATEWIDE VOTER REGISTRATION SYSTEM - HELP AMERICA VOTE ACT (HAVA)
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,077,347

3144 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 285,319
FROM GRANTS AND DONATIONS TRUST FUND . . . 300,058

3145 SPECIAL CATEGORIES
ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 800,000

SECTION 6
SPECIFIC
APPROPRIATION

3147 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 55,886

3147A SPECIAL CATEGORIES
TRANSFER TO GRANTS AND DONATIONS TRUST FUND
FROM GENERAL REVENUE FUND 340,925

Funds provided in Specific Appropriation 3147A are contingent upon the receipt of $6,477,573 in additional federal funds from the Help America Vote Act of 2002 (HAVA). Upon the receipt of federal funds, the department is authorized to submit a budget amendment for the release of funds pursuant to chapter 216, Florida Statutes.

3148 SPECIAL CATEGORIES
ELECTION FRAUD PREVENTION
FROM GENERAL REVENUE FUND 600,000

3149 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ELECTION ACTIVITIES (HELP AMERICA VOTE ACT)
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,000,000

Funds in Specific Appropriation 3149 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker recruitment and training; revisions to the statewide pollworker curriculum; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

No supervisor of elections shall receive any funds until the county supervisor of elections provides to the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections for voter education or pollworker recruitment and training will 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, 2009.

3150 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 12,425
FROM GRANTS AND DONATIONS TRUST FUND . . . 13,043

TOTAL: ELECTIONS
FROM GENERAL REVENUE FUND 5,002,962
FROM TRUST FUNDS 10,860,544

TOTAL POSITIONS 69.00
TOTAL ALL FUNDS 15,863,506

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

APPROVED SALARY RATE 2,983,753

3151 SALARIES AND BENEFITS POSITIONS 83.00
FROM GENERAL REVENUE FUND 1,989,543
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,937,419
FROM OPERATING TRUST FUND 319,933

SECTION 6
SPECIFIC
APPROPRIATION

3152 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 38,945
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,483,858
FROM OPERATING TRUST FUND 506,051

3153 EXPENSES
FROM GENERAL REVENUE FUND 706,223
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,037,326
FROM OPERATING TRUST FUND 331,442

3154 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,000
FROM OPERATING TRUST FUND 22,500

3154A SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC MUSEUM GRANTS
FROM GENERAL REVENUE FUND 500,000

3155 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 197,471
FROM GRANTS AND DONATIONS TRUST FUND . . . 143,655
FROM OPERATING TRUST FUND 189,307

3156 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC PRESERVATION GRANTS
FROM GENERAL REVENUE FUND 600,000
FROM OPERATING TRUST FUND 85,870

3157 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 27,212
FROM OPERATING TRUST FUND 19,531

3158 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,732
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,661
FROM OPERATING TRUST FUND 2,979

3159 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 34,746

3160 FIXED CAPITAL OUTLAY
MIAMI CIRCLE SEAWALL CONSTRUCTION AND CLEANUP - DMS MGD
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,200,000

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION
FROM GENERAL REVENUE FUND 4,086,126
FROM TRUST FUNDS 9,476,278

TOTAL POSITIONS 83.00
TOTAL ALL FUNDS 13,562,404

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

APPROVED SALARY RATE 5,112,771

3161 SALARIES AND BENEFITS POSITIONS 141.00
FROM GENERAL REVENUE FUND 7,080,360

3162 EXPENSES
FROM GENERAL REVENUE FUND 3,072,715

3163 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 27,000

SECTION 6
SPECIFIC
APPROPRIATION

3164 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 881,663

3165 SPECIAL CATEGORIES
RICO ACT - ALIEN CORPORATIONS
FROM GENERAL REVENUE FUND 180,000

3166 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 36,847

3167 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 64,635

3168 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 224,425

TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS
FROM GENERAL REVENUE FUND 11,567,645

TOTAL POSITIONS 141.00
TOTAL ALL FUNDS 11,567,645

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

APPROVED SALARY RATE 3,809,605

3169 SALARIES AND BENEFITS POSITIONS 101.00
FROM GENERAL REVENUE FUND 2,370,314
FROM LIBRARY SERVICES TRUST FUND 1,403,255
FROM RECORDS MANAGEMENT TRUST FUND 1,350,581

3170 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 163,119
FROM LIBRARY SERVICES TRUST FUND 267,075
FROM RECORDS MANAGEMENT TRUST FUND 52,412

3171 EXPENSES
FROM GENERAL REVENUE FUND 1,849,574
FROM LIBRARY SERVICES TRUST FUND 365,445
FROM RECORDS MANAGEMENT TRUST FUND 785,866

3173 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY COOPERATIVES
FROM GENERAL REVENUE FUND 1,500,000

3174 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY GRANTS
FROM GENERAL REVENUE FUND 26,719,200
FROM LIBRARY SERVICES TRUST FUND 2,754,639

3175 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS COMMUNITY LIBRARIES IN CARING
FROM GENERAL REVENUE FUND 100,000

3176 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 24,960
FROM LIBRARY SERVICES TRUST FUND 7,522
FROM RECORDS MANAGEMENT TRUST FUND 14,959

3177 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 135,845
FROM LIBRARY SERVICES TRUST FUND 480,450
FROM RECORDS MANAGEMENT TRUST FUND 37,059

SECTION 6
SPECIFIC
APPROPRIATION

3178 SPECIAL CATEGORIES
LIBRARY RESOURCES
FROM GENERAL REVENUE FUND 554,476
FROM LIBRARY SERVICES TRUST FUND 3,043,270

3179 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 72,329

3180 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 24,329
FROM LIBRARY SERVICES TRUST FUND 12,430
FROM RECORDS MANAGEMENT TRUST FUND 11,963

TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES
FROM GENERAL REVENUE FUND 33,514,146
FROM TRUST FUNDS 10,586,926

TOTAL POSITIONS 101.00
TOTAL ALL FUNDS 44,101,072

PROGRAM: CULTURAL AFFAIRS

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 746,796

3181 SALARIES AND BENEFITS POSITIONS 18.00
FROM GENERAL REVENUE FUND 629,834
FROM FINE ARTS COUNCIL TRUST FUND 316,343

3182 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 53,775
FROM FINE ARTS COUNCIL TRUST FUND 20,600

3183 EXPENSES
FROM GENERAL REVENUE FUND 237,918
FROM FINE ARTS COUNCIL TRUST FUND 163,330

3184 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,700

3185 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 22,500
FROM FINE ARTS COUNCIL TRUST FUND 40,000

3186 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 5,925

3187 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,443
FROM FINE ARTS COUNCIL TRUST FUND 2,614

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 958,095
FROM TRUST FUNDS 542,887

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 1,500,982

CULTURAL SUPPORT AND DEVELOPMENT GRANTS

3188 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS GRANTS
FROM GENERAL REVENUE FUND 1,585,205
FROM FINE ARTS COUNCIL TRUST FUND 297,200

SECTION 6
SPECIFIC
APPROPRIATION

3189 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCIENCES GRANTS
FROM GENERAL REVENUE FUND 435,931

3190 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS IN EDUCATION GRANTS
FROM GENERAL REVENUE FUND 435,931

3191 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL ARTS AGENCIES/
STATE SERVICE ORGANIZATIONS
FROM GENERAL REVENUE FUND 317,041

3192 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - YOUTH AND CHILDREN'S
MUSEUMS GRANTS
FROM GENERAL REVENUE FUND 214,003

3193 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL INSTITUTIONS
FROM GENERAL REVENUE FUND 2,474,108

3194 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENDOWMENT FOR
THE HUMANITIES
FROM GENERAL REVENUE FUND 300,000

3195 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE TOURING PROGRAM
FROM GENERAL REVENUE FUND 237,781

TOTAL: CULTURAL SUPPORT AND DEVELOPMENT GRANTS
FROM GENERAL REVENUE FUND 6,000,000
FROM TRUST FUNDS 297,200

TOTAL ALL FUNDS 6,297,200

TOTAL OF SECTION 6 POSITIONS 19,049.75

FROM GENERAL REVENUE FUND 987,623,479

FROM TRUST FUNDS 3680,139,692

TOTAL ALL FUNDS 4667,763,171

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 5,984,872

3203 SALARIES AND BENEFITS POSITIONS 98.00
FROM GENERAL REVENUE FUND 7,632,311

3204 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 93,810

3205 EXPENSES
FROM GENERAL REVENUE FUND 832,950

3206 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,178

SECTION 7
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APPROPRIATION

3207 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 484,041

3208 SPECIAL CATEGORIES
DISCRETIONARY FUNDS OF THE CHIEF JUSTICE
FROM GENERAL REVENUE FUND 15,000

Funds in Specific Appropriation 3208 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.

3209 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 37,124

3210 SPECIAL CATEGORIES
SUPREME COURT LAW LIBRARY
FROM GENERAL REVENUE FUND 303,632

3211 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,145

TOTAL: COURT OPERATIONS - SUPREME COURT
FROM GENERAL REVENUE FUND 9,445,191

TOTAL POSITIONS 98.00
TOTAL ALL FUNDS 9,445,191

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,549,572

3212 SALARIES AND BENEFITS POSITIONS 174.50
FROM GENERAL REVENUE FUND 7,807,232
FROM COURT EDUCATION TRUST FUND 1,169,104
FROM MEDIATION AND ARBITRATION TRUST
FUND 648,940
FROM FEDERAL GRANTS TRUST FUND 1,203,008
FROM OPERATING TRUST FUND 146,326

3213 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 89,940
FROM COURT EDUCATION TRUST FUND 105,540
FROM MEDIATION AND ARBITRATION TRUST
FUND 165,000
FROM FEDERAL GRANTS TRUST FUND 66,560
FROM OPERATING TRUST FUND 115,104

3214 EXPENSES
FROM GENERAL REVENUE FUND 1,358,341
FROM COURT EDUCATION TRUST FUND 1,863,355
FROM MEDIATION AND ARBITRATION TRUST
FUND 315,824
FROM FEDERAL GRANTS TRUST FUND 462,170
FROM GRANTS AND DONATIONS TRUST FUND . . . 89,493
FROM OPERATING TRUST FUND 187,688

3215 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 508,155
FROM COURT EDUCATION TRUST FUND 10,000
FROM MEDIATION AND ARBITRATION TRUST
FUND 1,500
FROM FEDERAL GRANTS TRUST FUND 111,376

3216 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 117,584
FROM COURT EDUCATION TRUST FUND 158,448

SECTION 7
SPECIFIC
APPROPRIATION

FROM MEDIATION AND ARBITRATION TRUST
FUND 125,000
FROM FEDERAL GRANTS TRUST FUND 124,018
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000
FROM OPERATING TRUST FUND 10,000

3217 SPECIAL CATEGORIES
FLORIDA CASES SOUTHERN 2ND REPORTER
FROM GENERAL REVENUE FUND 614,135

3218 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 46,860

3219 SPECIAL CATEGORIES
COMPUTER SUBSCRIPTION SERVICES
FROM GENERAL REVENUE FUND 189,010

3220 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 35,646
FROM COURT EDUCATION TRUST FUND 4,608
FROM MEDIATION AND ARBITRATION TRUST
FUND 1,633
FROM FEDERAL GRANTS TRUST FUND 4,707
FROM OPERATING TRUST FUND 246

3221 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 1,055,611
FROM FEDERAL GRANTS TRUST FUND 80,000
FROM OPERATING TRUST FUND 338,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 11,822,514
FROM TRUST FUNDS 7,517,648

TOTAL POSITIONS 174.50
TOTAL ALL FUNDS 19,340,162

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3222 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
POSITIONS 22.00

The positions authorized in Specific Appropriation 3222 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

The Operating Trust Funds appropriated in Specific Appropriations 3223, 3225, 3226, and 3231, are provided to the First District Court of Appeals to implement a workers' compensation appeals unit to improve the processing of workers' compensation appeals. From the Operating Trust Funds in Specific Appropriation 3223, $857,010, 10 FTE and associated rate are provided for this purpose.

SECTION 7
SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 28,387,112

3223 SALARIES AND BENEFITS POSITIONS 436.00
FROM GENERAL REVENUE FUND 34,198,652
FROM OPERATING TRUST FUND 1,857,010

3224 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 122,419

3225 EXPENSES
FROM GENERAL REVENUE FUND 2,049,122
FROM OPERATING TRUST FUND 95,198

3226 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 59,703
FROM OPERATING TRUST FUND 27,000

3227 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 74,373

3228 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 798,228

3229 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 106,019

3230 SPECIAL CATEGORIES
DISTRICT COURT OF APPEAL LAW LIBRARY
FROM GENERAL REVENUE FUND 322,738

3231 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 110,757
FROM OPERATING TRUST FUND 2,480

3232 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 176,782

TOTAL: COURT OPERATIONS - APPELLATE COURTS
FROM GENERAL REVENUE FUND 38,018,793
FROM TRUST FUNDS 1,981,688

TOTAL POSITIONS 436.00
TOTAL ALL FUNDS 40,000,481

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

APPROVED SALARY RATE 194,550,835

3234 SALARIES AND BENEFITS POSITIONS 2,979.00
FROM GENERAL REVENUE FUND 228,621,973
FROM MEDIATION AND ARBITRATION TRUST
FUND 8,151,654
FROM FEDERAL GRANTS TRUST FUND 6,110,761
FROM OPERATING TRUST FUND 6,068,368

In order to implement Specific Appropriation 3234, the Office of Program Policy Analysis and Government Accountability shall conduct a study of workload management by the circuit and county court judges and provide a written report to the Chief Justice of the Supreme Court, the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by January 1, 2009.

3235 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 151,018

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3236 EXPENSES
FROM GENERAL REVENUE FUND 8,677,100
FROM MEDIATION AND ARBITRATION TRUST
FUND 111,294
FROM FEDERAL GRANTS TRUST FUND 144,216
FROM OPERATING TRUST FUND 61,959

3237 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 694,150

3238 SPECIAL CATEGORIES
CIVIL TRAFFIC INFRACTION HEARING OFFICERS
FROM GENERAL REVENUE FUND 1,339,864

3239 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD ADVOCACY CENTERS
FROM GENERAL REVENUE FUND 144,000

3240 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 2,466,243

3241 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,491,765

3244 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,248,264

3245 SPECIAL CATEGORIES
STATEWIDE GRAND JURY - EXPENSES
FROM GENERAL REVENUE FUND 149,281

3246 SPECIAL CATEGORIES
MEDIATION/ARBITRATION SERVICES
FROM GENERAL REVENUE FUND 1,062,040
FROM MEDIATION AND ARBITRATION TRUST
FUND 3,163,332

3247 SPECIAL CATEGORIES
STATE COURTS DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 21,274,196
FROM OPERATING TRUST FUND 504,930

3248 SPECIAL CATEGORIES
STATE-FUNDED SERVICES COST RECOVERY
FROM OPERATING TRUST FUND 600,000

3249 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 729,691
FROM MEDIATION AND ARBITRATION TRUST
FUND 498
FROM FEDERAL GRANTS TRUST FUND 36,621

3250 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 108,500

TOTAL: COURT OPERATIONS - CIRCUIT COURTS
FROM GENERAL REVENUE FUND 268,007,067
FROM TRUST FUNDS 25,104,651

TOTAL POSITIONS 2,979.00
TOTAL ALL FUNDS 293,111,718

SECTION 7
SPECIFIC
APPROPRIATION
COURT OPERATIONS - COUNTY COURTS

APPROVED SALARY RATE 54,723,855

3251 SALARIES AND BENEFITS POSITIONS 632.00
FROM GENERAL REVENUE FUND 71,110,458

3252 EXPENSES
FROM GENERAL REVENUE FUND 3,846,486

3253 SPECIAL CATEGORIES
ADDITIONAL COMPENSATION FOR COUNTY JUDGES
FROM GENERAL REVENUE FUND 5,000

3254 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 212,500

3255 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 87,763

3256 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 161,268

TOTAL: COURT OPERATIONS - COUNTY COURTS
FROM GENERAL REVENUE FUND 75,423,475

TOTAL POSITIONS 632.00
TOTAL ALL FUNDS 75,423,475

PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION

JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS

APPROVED SALARY RATE 310,936

3257 SALARIES AND BENEFITS POSITIONS 5.00
FROM GENERAL REVENUE FUND 390,459

3258 EXPENSES
FROM GENERAL REVENUE FUND 154,890

3259 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,706

3260 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 196,424

3261 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,031

3262 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM GENERAL REVENUE FUND 190,835

Funds in Specific Appropriation 3262 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.

3263 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,247

SECTION 7
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APPROPRIATION
TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS
FROM GENERAL REVENUE FUND 948,592

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 948,592

TOTAL OF SECTION 7 POSITIONS 4,346.50

FROM GENERAL REVENUE FUND 403,665,632

FROM TRUST FUNDS 34,603,987

TOTAL ALL FUNDS 438,269,619

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS - FISCAL YEAR 2008-2009

This section provides instructions for implementing the Fiscal Year 2008-2009 salary and benefit increases provided in Specific Appropriation 2175. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

References to "eligible" employees refer to employees who are, at a minimum, meeting their required performance standards. If an ineligible employee achieves performance standards subsequent to the salary increase implementation date but on or before the end of the fiscal year, the employee may receive an increase; however, such increase shall be effective on the date the employee becomes eligible but not retroactively.

Pay Grade Adjustments

It is the intent of the Legislature that the minimums for each pay grade and pay band shall not be adjusted during the 2008-2009 fiscal year and that the maximums for each pay grade and pay band of employees specified in subsection (1)(a) shall be adjusted upward by 5 percent, effective October 1, 2008. If, after the adjustment of the maximums for the pay grades and pay bands, an employee's base rate of pay is equal to or greater than the adjusted maximum of the employee's pay grade or pay band, the employee will be granted a one-time, lump-sum payment in lieu of an increase to the employee's base rate of pay. When an employee's base rate of pay is less than the adjusted maximum of the employee's pay grade or pay band and the increase to the base rate of pay will be greater than the adjusted maximum, the employee's salary will be increased to the adjusted maximum and the portion of the increase that exceeds the adjusted maximum shall be granted instead in a one-time, lump-sum payment.

(1) EMPLOYEE AND OFFICER COMPENSATION

(a) Effective October 1, 2008, funds are provided in Specific Appropriation 2175 to grant each eligible law enforcement employee of the Florida Highway Patrol a competitive pay adjustment of 5 percent on each employee's September 30, 2008, base rate of pay. For purposes of this subsection, employees granted a competitive pay adjustment shall be limited to those employees employed by the Department of Highway Safety and Motor Vehicles in the following class codes: 8515 (law enforcement officer), 8519 (law enforcement sergeant), 8532 (law enforcement airplane pilot I), 8534 (law enforcement airplane pilot II), 8540 (law enforcement investigator I), 8541 (law enforcement investigator II), 8522 (law enforcement lieutenant), 8525 (law enforcement captain), 8626 (law enforcement major - FHP), 7650 (law enforcement troop commander -FHP), 7955 (chief of investigations - FHP), 7980 (chief of emergency operations/domestic security - FHP), 8945 (law enforcement inspection administrator - FHP), 7932 (deputy director of south and east command), and 9762 (Director of Florida Highway Patrol - HSMV).

(b) The elected officers, full-time members of commissions and designated employees shall be paid at the annual rate shown below for the period indicated; however, these salaries may be reduced on a voluntary basis.

SECTION 8
SPECIFIC
APPROPRIATION

	7/1/08
Governor	$ 132,932
Lieutenant Governor	127,399
Chief Financial Officer	131,604
Attorney General	131,604
Agriculture, Commissioner of	131,604
Supreme Court Justice	161,200
Judges-District Courts of Appeal	153,140
Judges-Circuit Courts	145,080
Judges-County Courts	137,020
State Attorneys	153,140
Public Defenders	153,140
Commissioner-Public Service Commission	132,690
Public Employees Relations Commission Chair	97,744
Public Employees Relations Commission Commissioners	92,575
Commissioner - Parole and Probation	92,575
Criminal Conflict and Civil Regional Counsels	100,000

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 AND STATE DISABILITY INSURANCE

1. Funds are provided in each agency's budget to continue paying the state share of life and disability insurance premiums. A reduction in funds is included in Specific Appropriation 2175 to reduce each agency's budget pursuant to the reduction in the state premium required by subparagraph 2., effective January 1, 2009.

2. Effective January 1, 2009, the state share of the life insurance premium shall decrease from $.1728 per $1,000 of employee calculated benefit per month to $.1208 per $1,000 of employee calculated benefit per month on behalf of employees not exempt from making contributions, and from $.2160 per $1,000 of employee calculated benefit per month to $.1570 per $1,000 of employee calculated benefit per month on behalf of employees exempt from making contributions. Effective January 1, 2009, the employer contribution rates for disability insurance premiums shall decrease from $.07 per $100 of employee regular rate of pay per month to $.04 per $100 of employee regular rate of pay per month.

(b) STATE HEALTH INSURANCE PLANS AND BENEFITS FOR THE PERIOD JULY 1, 2008, THROUGH JUNE 30, 2009

For the period July 1, 2008, through June 30, 2009, all benefits as provided in the current State Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts, and other such health insurance benefits as approved by the Legislature shall remain in effect. No reductions to the level of benefits may be implemented unless specifically authorized by the Legislature.

(c) STATE HEALTH INSURANCE PREMIUMS FOR THE PERIOD JULY 1, 2008, THROUGH JUNE 30, 2009

1. State Paid Premiums

a. For the coverage period July 1, 2008, through May 31, 2009, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall continue at $399.26 per month for individual coverage and $835.98 per month for family coverage.

b. For the coverage period beginning June 1, 2009, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall increase, effective May 1, 2009, from $399.26 to $448.68 per month for individual coverage and from $835.98 to $947.74 per month for family coverage.

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c. Funds are provided in each agency's budget to continue paying the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 2175 for distribution to agencies to pay the incremental cost of the premium increase, effective May 1, 2009.

2. Premiums Paid by Employees

a. For the coverage period July 1, 2008, through June 30, 2009, the employee 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, 2008, through June 30, 2009, the employee share of the health insurance premiums for the high deductible health plans shall continue at $15 per month for individual coverage and $64.30 per month for family coverage.

3. Premiums Paid by Medicare Participants

a. For the coverage period July 1, 2008, through May 31, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be $238.54 for "one eligible", $687.80 for "one under/one over", and $477.08 for "both eligible."

b. For the coverage period beginning June 1, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective May 1, 2009, from $238.54 to $264.78 for "one eligible", from $687.80 to $763.46 for "one under/one over", and from $477.08 to $529.56 for "both eligible."

c. For the coverage period July 1, 2008, through December 31, 2008, 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 continue at the current rates. For the coverage period January 1, 2009, through June 30, 2009, it is the intent of the Legislature that the premiums for Medicare participants participating in the Health Maintenance Organization Standard Plan and the Health Maintenance Organization High Deductible Plan may increase, effective December 1, 2008, by no more than 11 percent over the 2008 plan year premiums for the selected state-contracted health maintenance organization. If the Department of Management Services is not able to limit such increases to less than 11 percent, the Secretary of the Department of Management Services shall notify the presiding officers of the Legislature and the Executive Office of the Governor in writing of the circumstances.

d. For the coverage period July 1, 2008, through May 31, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be $179.80 for "one eligible", $594.06 for "one under/one over", and $359.60 for "both eligible."

e. For the coverage period beginning June 1, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective May 1, 2009, from $179.80 to $199.58 for "one eligible", from $594.06 to $659.40 for "one under/one over", and from $359.60 to $399.16 for "both eligible."

4. Premiums Paid by "Early Retirees"

a. For the coverage period July 1, 2008, through June 30, 2009, an "early retiree" participant participating in a standard plan shall pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period July 1, 2008, through May 31, 2009, an "early retiree" participant participating in a high deductible plan shall pay a monthly premium equal to $372.60 for single coverage and $816.95 for family coverage.

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c. For the coverage period beginning June 1, 2009, the monthly premium for an "early retiree" participant participating in a high deductible plan shall increase, effective May 1, 2009, from $372.60 to $422.02 for single coverage and $816.95 to $928.72 for family coverage.

5. Premiums Paid by COBRA Participants

a. For the coverage period July 1, 2008, through June 30, 2009, a COBRA participant participating in a standard plan shall continue to pay a monthly premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period July 1, 2008, through May 31, 2009, the monthly premium for a COBRA participant participating in a high deductible plan shall continue to be $380.05 for single coverage and $833.29 for family coverage.

c. For the coverage period beginning June 1, 2009, the monthly premium for a COBRA participant participating in a high deductible plan shall increase, effective May 1, 2009, from $380.05 to $430.45 for single coverage and from $833.29 to $947.28 for family coverage.

6. The State Group Health Insurance High Deductible Plan and the state-contracted Health Maintenance Organization High Deductible Plan shall include a health savings account feature. Such plans and accounts shall be administered in accordance with the requirements and 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 EMPLOYEES' PRESCRIPTION DRUG PROGRAM
Under the State Employees' Prescription Drug Program, the following shall apply:

1. Supply limits shall continue as provided in section 110.12315, Florida Statutes.

2. Co-payments and coinsurance shall be charged as provided in section 110.12315(7), Florida Statutes.

3. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

(3) OTHER PROVISIONS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreements:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university or community college to full-time employees on a space available basis as authorized by law.

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. Each state agency, at the discretion of the agency head, may expend funds provided in this act for bar dues and for legal education courses for attorneys employed by the state as legal staff. Each state agency shall report the amounts expended for these purposes to the legislature by March 1, 2009.

(b) All state branches, departments and agencies which have established or approved personnel policies for employees related to the payment of accumulated and unused annual leave, shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

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(c) Upon termination of employees in the Senior Management Service, Selected Exempt, 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 2008-09 fiscal year from existing agency resources consistent with the 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 2008-09 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 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.

(j) Each agency is authorized to grant merit increases to the employees based on the employee's exemplary performance.

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(5) COLLECTIVE BARGAINING ISSUES AT IMPASSE:

(a) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and Florida Nurses Association relating to wages or other economic issues shall be resolved herein pursuant to the instructions provided under Item "(1) EMPLOYEE AND OFFICER COMPENSATION", Item "(3) OTHER PROVISIONS" 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 Florida Nurses Association relating to insurance shall be resolved herein pursuant to the instructions provided under Item "(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE" and the relevant provisions of any legislation enacted to implement this act.

SECTION 9. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Lake-Sumter Community College for Classrooms/Health/Science Consortia Prototype Building complete (ce) for $1,235,702, shall revert immediately and is appropriated for temporary lab facilities, infrastructure and parking improvements at the South Lake Center.

SECTION 10. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to South Florida Community College for Classrooms/Health/Science Consortia Prototype Building complete (ce) for $1,391,902, shall revert immediately and is appropriated for the Remodeling/Renovation of the Administration, Nursing, Fine Arts and Science Buildings with addition - Main partial project.

SECTION 11. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to Hillsborough Community College for Remodeling/Renovation of the Administration, Science and Student Services Buildings -Plant City for $3,198,464, shall revert immediately and is appropriated for upgrading the College's District-wide telecommunication system for an emergency notification and response alert system.

SECTION 12. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to Seminole Community College for Workforce/Classrooms, Technology Labs with land - I-4 Heathrow Special Purpose Center complete (ce) for $5,259,322, shall revert immediately and is appropriated for Classrooms, Labs, Student Services Building with Land - Phase I at Altamonte Center.

SECTION 13. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to St. Petersburg College for Remodeling/Renovation of the Social Science and Arts Buildings to Vet Tech - Clearwater partial for $1,008,744, shall revert immediately and is appropriated for construction of the new Veterinary Technology Program Building in cooperation with the Pinellas County School Board at the new Veterinary Technology Center in Seminole.

SECTION 14. The unexpended balance from Specific Appropriation 3 of chapter 2006-25, Laws of Florida, provided to St. Petersburg College to Construct Classrooms, Academic and Support Space - Clearwater for $575,898, shall revert immediately and is appropriated along with the private donor match of the same amount for construction of the new Veterinary Technology Program Building in cooperation with the Pinellas County School Board at the new Veterinary Technology Center in Seminole.

SECTION 15. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to St. Petersburg College to Construct Classrooms, Academic and Support Space - Clearwater for $6,884,999, shall revert immediately and is appropriated for construction of the new Veterinary Technology Program Building in cooperation with the Pinellas County School Board at the new Veterinary Technology Center in Seminole.

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SECTION 16. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Tallahassee Community College to Remodeling/Renovation of the old Residence to an Executive Leadership Training Building at the Pat Thomas Law Enforcement Academy for $2,595,423, shall revert immediately and is appropriated for construction of Multipurpose Building for classrooms and large meeting rooms at the same site.

SECTION 17. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Indian River Community College to Remodeling/Renovation Classrooms/Labs Buildings 9 and 21 - Main for $2,257,280, shall revert immediately and is appropriated for Remodeling/Renovation Classrooms/Labs Buildings 9, 21, 38 and 39 - Main.

SECTION 18. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Florida Keys Community College to Remodeling/Renovation Library Computer and Multimedia Labs - Main for $485,000, shall revert immediately and is appropriated for the construction of a Marine Propulsion Building.

SECTION 19. Pursuant to section 1013.40, Florida Statutes, the specified community colleges are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated community college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

1. Seminole Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for the State Board of Education approved Sanford/Lake Mary Campus.

2. Seminole Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for the State Board of Education approved Altamonte Center.

3. Hillsborough Community College - Acquire by donation land/facilities consisting of two existing facilities totaling 4,150 gross square feet and tennis courts to be used in conjunction with courses currently offered at the Dale Mabry Campus.

4. Hillsborough Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for a Special Purpose Center for workforce development training in the Riverview area.

5. Polk Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for the Advance Manufacturing Technologies Center at the State Board of Education approved Clear Springs Special Purpose Center in Bartow.

6. Polk Community College - Acquire land/facilities and/or construct/remodel/renovate facilities for classrooms, labs, offices, support facilities and parking to house new and existing public safety programs in Winter Haven.

7. Daytona Beach Community College - Acquire up to seventeen (17) relocatables for classrooms and labs to handle enrollment increases at the Flagler and Deltona Centers.

SECTION 20. The unexpended balance from Specific Appropriation 19 of chapter 2005-70, Laws of Florida, provided to Gulf Coast Community College for Remodeling/Renovation of the Technology Building with Tech Lab additions - Main partial for $420,000, shall revert immediately and is appropriated for the construction of Corporate Training and Technology Center on the Main Campus in Panama City.

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SECTION 21. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to Gulf Coast Community College for Remodeling/Renovation of the Technology Building with Tech Lab additions - Main partial for $3,754,369, shall revert immediately and is appropriated for the construction of Corporate Training and Technology Center on the Main Campus in Panama City.

SECTION 22. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Gulf Coast Community College for Remodeling/Renovation of the Technology Building with Tech Lab additions - Main partial for $3,445,631, shall revert immediately and is appropriated for the construction of Corporate Training and Technology Center on the Main Campus in Panama City.

SECTION 23. Pursuant to sections 1013.74 and 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion will require general revenue funds for operation.

1. UF - Central Laundry Facility
2. UF - Bryant Space Center
3. UF - Infirmary
4. UF - UF Foundation Building #2
5. UF - UF Foundation Garage
6. UF - East Campus Office Building
7. UF/IFAS - Everglades Research & Education Center - Belle Glade
8. UF/IFAS - SW Florida Research & Education Center -Immokalee
9. FSU - College of Medicine, Immokalee Clinic.
10. USF - USF-Health Major Ren/Remo/Addition Research and Clsrm Space
11. USF - USF-Health Medical Faculty Office Building
12. USF - Joint Use Track Facility
13. USF - Sun Dome Expansion, Academic Excellence Room
14. USF - Joint Military Science Leadership Center-Phase IIB
15. USF - Magnolia Hall
16. FAU - Aristotle Center
17. FAU - Pine Jog Educational Facility
18. UCF - Physical Sciences Building
19. UCF - University Tower
20. UCF - Bio-Molecular Annex
21. UCF - Career Services & Experiential Learning
22. UCF - Bio-Medical Enhancement
23. UCF - Laboratory Instruction Building
24. UCF - Green House
25. UCF - Bennett Building
26. UCF - Visitor Information Building
27. UCF - Medical Library
28. UCF - Honors Living and Learning Center
29. UCF - Bio-Medical Science Center
30. UCF - Research Pavilion
31. UCF - University Tech Center (Suites 300, 360, 390, and 200)
32. UCF - Orlando Tech Center
33. UCF - Academic Center
34. FIU - Department of Health/FIU Public Health Building
35. UNF - The Auchter Building
36. FAMU - University Transitional Facility

SECTION 24. 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.

FAMU Bragg Stadium Renovation
USF Athletic District - Sun Dome
USF Athletic District
FAU Innovation Village Stadium
UF East Campus Office Building
FIU Department of Health/FIU Public Health Building

SECTION 25. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, and subsequently transferred to the Agency for Enterprise Information Technology by budget amendment EOG #0014, shall

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immediately revert and is appropriated to the Agency for Enterprise Information Technology for sustainment of monitoring center and security tools and information security planning sessions.

SECTION 26. From the unexpended balance of funds appropriated in Specific Appropriation 127, chapter 2007-72, Laws of Florida, for the Ready to Work Initiative, the lesser of the unexpended balance or $4,000,000 shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Education to contract with the current Ready to Work provider selected by competitive procurement in 2006-2007 for a statewide unlimited usage license for curriculum, a soft-skills assessment component and implementation services. The remaining unexpended balance of funds appropriated in Specific Appropriation 127, chapter 2007-72, Laws of Florida, for the Ready to Work Initiative shall revert at the end of the 2007-2008 fiscal year and is appropriated to the Department of Education to continue support for the Ready to Work Initiative. This section shall take effect upon becoming law.

SECTION 27. The unexpended balance of funds appropriated in Specific Appropriation 117 of chapter 2007-72, Laws of Florida, provided to the Department of Education for the Governor's School for Space Science & Technology Planning shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Education for the original purpose.

SECTION 28. The non-recurring sum of $7,500,000 from the General Revenue Fund is appropriated for the 2008-2009 fiscal year to the Department of Education for distribution to the Miami-Dade County Public School District.

SECTION 29. From the unexpended balance of funds appropriated in Specific Appropriation 154A of chapter 2007-72, Laws of Florida, the sum of $87,354,000 shall revert immediately, and the following amounts are appropriated from the General Revenue Fund:

(a) The sum of $50,000,000 is appropriated for the Florida Energy Systems Consortium. This non-recurring appropriation is provided in the Aid to Local Governments - Grants and Aids - Education and General Activities appropriation category and is allocated as follows:

University of Florida	15,000,000
Florida State University	8,750,000
University of South Florida	8,750,000
University of Central Florida	8,750,000
Florida Atlantic University	8,750,000

The allocation to the University of Florida includes $3,250,000 for Consortium administration, $2,500,000 for education and outreach, and $500,000 for technology transfer.

(b) The sum of $8,500,000 is appropriated for the Florida Gulf Coast University Solar Field Installation.

(c) The sum of $10,006,955 is appropriated for the Florida International University Center of Excellence for Hurricane Damage Mitigation and Product Development.

(d) The sum of $14,570,225 is appropriated for the Florida State University Center of Excellence for Advanced Aero-Propulsion.

SECTION 30. Contingent upon HB 7135 or similar legislation becoming law, the sum of $5,000,000 in non-recurring funds is appropriated from the General Revenue Fund to the Energy and Climate Commission in the Executive Office of the Governor for the purpose of funding the Solar Energy System Incentives Program pursuant to section 377.806, Florida Statutes.

SECTION 31. Contingent upon HB 7135 or similar legislation becoming law, the sum of $7,000,000 in non-recurring funds is appropriated from the General Revenue Fund to the Energy and Climate Commission in the Executive Office of the Governor for the purpose of funding the Renewable Energy and Energy Efficient Technologies Grants Program pursuant to section 377.804, Florida Statutes.

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SECTION 32. Contingent upon HB 7135 or similar legislation becoming law, the sum of $8,000,000 in non-recurring funds is appropriated from the General Revenue Fund to the Energy and Climate Commission in the Executive Office of the Governor for the purpose of funding the Bioenergy Projects for Renewable Technology pursuant to section 377.804(6), Florida Statutes. These grants shall be awarded in consultation with the Department of Agriculture and Consumer Affairs.

SECTION 33. The Agency for Health Care Administration is authorized to transfer up to $3,093,148 from the unreserved cash balance of the Medical Care Trust Fund to satisfy outstanding obligations as of June 30, 2008, to the Agency for Health Care Administration for Gadsden Community Hospital, Weems Hospital and Calhoun-Liberty Hospital.

SECTION 34. The unexpended balance of non-recurring general revenue funds appropriated to the Department of Elderly Affairs in chapter 2007-114, Laws of Florida, related to caregivers for adults, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the purpose of the original appropriation.

SECTION 35. The unexpended balance of non-recurring general revenue funds appropriated to the Agency for Health Care Administration in chapter 2007-102, Laws of Florida, related to the Primary Care Access Network, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the purpose of the original appropriation.

SECTION 36. The unexpended balance from Specific Appropriations 311 and 321 of chapter 2007-72, Laws of Florida, provided to the Department of Children and Family Services for Florida SACWIS Solutions shall revert immediately and is appropriated for the 2008-2009 fiscal year for the same purpose.

SECTION 37. The non-recurring sum of $354,437,854 from the Lawton Chiles Endowment Fund shall be transferred to the Department of Financial Services Tobacco Settlement Clearing Trust Fund and disbursed into each department's respective Tobacco Settlement Trust Fund to provide necessary funding for Specific Appropriations 194, 195, 196, 197, 198, 200, 202, 204, 205, 206, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 241, 220A, 317, 340, 496A, 598, and 627A.

SECTION 38. The sum of $15,000,000 from unexpended funds in Specific Appropriation 1702 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection to acquire land to mitigate flowage concerns from the Biscayne Bay and C-111 projects shall revert immediately and is appropriated to the department for the Miami River Dredging Project and the design and construction of Comprehensive Everglades Restoration Plan C-111 Spreader Canal Project upon approval pursuant to section 373.026(8)(b), Florida Statutes.

SECTION 39. The unexpended balance of funds appropriated in Specific Appropriation 1769 of chapter 2002-394, Laws of Florida, for the Airport Industrial Park Wastewater - St. Lucie project provided to the Department of Environmental Protection, shall revert immediately and is appropriated for the 2008-2009 fiscal year for purpose of continuing the St. Lucie Airport West Commerce Park Project, including costs incurred prior to July 1, 2008.

SECTION 40. The sum of $666,000 from unexpended funds in Specific Appropriation 1742 of chapter 2002-394, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 41. The sum of $71,000 from unexpended funds in Specific Appropriation 1676 of chapter 2004-268, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 42. The sum of $2,744,866 from unexpended funds in chapter 2004-475, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately and is appropriated as a transfer to the Ecosystem Restoration and Management Trust Fund in the Department of Environmental Protection.

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SECTION 43. The sum of $310,508 from unexpended funds in Specific Appropriation 1696 of chapter 2005-71, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 44. The sum of $536,401 from unexpended funds in Specific Appropriation 1696 of chapter 2005-71, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately and is appropriated as a transfer to the Ecosystems Management and Restoration Trust Fund in the Department of Environmental Protection.

SECTION 45. The sum of $1,798,075 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Ponce de Leon IMP Implementation in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 46. The sum of $2,000,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for post-construction monitoring in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 47. The sum of $2,375,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 48. The sum of $1,051,925 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for statewide beach management project support in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 49. The sum of $750,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for regional monitoring in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 50. Contingent upon the Weeki Wachee Springs attraction becoming a part of the State Park System, the Department of Environmental Protection may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting increased trust fund budget authority up to the amount of revenue estimated to be received by the department during the 2008-2009 fiscal year for the operations and maintenance of the attraction. The request shall be accompanied by a detailed business plan for operation of the attraction and include financial documents itemizing estimated revenues, operational expenditures, and maintenance and repair capital depreciation amounts.

SECTION 51. The sum of $200,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for regional sand search in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 52. The sum of $750,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for new projects - feasibility and design in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 53. The sum of $300,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for inlet sand transfer/demonstration projects in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 54. The sum of $1,400,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Alligator Point Beach Restoration for the 2007-2008 fiscal year shall revert immediately.

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SECTION 55. The sum of $1,480,710 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Estero Island Beach Restoration for the 2007-2008 fiscal year shall revert immediately.

SECTION 56. The sum of $841,210 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for St. Andrews IMP Implementation in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 57. The sum of $1,660,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Avalon State Park Dune Restoration in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 58. The sum of $55,000,000 in non-recurring funds is appropriated from the General Revenue Fund for Fiscal Year 2007-2008 to the Department of Corrections for the purpose of funding Fiscal Year 2007-2008 operational deficits. This section shall take effect upon becoming law.

SECTION 59. The sum of $10,000,000 in non-recurring funds is appropriated from the General Revenue Fund for Fiscal Year 2007-2008 to the Justice Administrative Commission for the purpose of alleviating a projected deficit in appropriations provided for private court-appointed counsel and associated due process expenses for cases appointed prior to the effective date of chapter No. 2007-62, Laws of Florida. This section shall take effect upon becoming law.

SECTION 60. The sum of $2,750,000 in non-recurring funds is appropriated from the Crimes Compensation Trust Fund for Fiscal Year 2007-2008 to the Department of Legal Affairs in the Awards to Claimants appropriation category to pay claims projected for the remainder of the fiscal year. This section shall take effect upon becoming law.

SECTION 61. The unexpended balance of $1,068,335 provided to the Department of Law Enforcement for the Integrated Criminal History System (FALCON) in the Qualified Expenditure Category in Specific Appropriation 1325A of chapter 2007-72, Laws of Florida, shall revert immediately and is appropriated for the 2008-2009 fiscal year for its original purpose.

SECTION 62. The unexpended balance of funds appropriated in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, provided to the Department of Management Services, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the Florida Interoperability Network. Funds for the Florida Interoperability Network shall be held in reserve and release is contingent upon the execution of agreements by the Department with each recipient county specifying that ongoing system administration, operations and maintenance will be the responsibility of the county upon discontinuation of federal funding.

SECTION 63. From the funds appropriated in Specific Appropriation 729 of chapter 2007-72, Laws of Florida, to the Department of Corrections related to the Offender Based Information System (OBIS), the unexpended balance of $500,000 in non-recurring general revenue funds shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Corrections for the original purpose.

SECTION 64. The unexpended balance of non-recurring funds appropriated in section 35 of chapter 2007-72, Laws of Florida, for the Department of Military Affairs Family Readiness Program shall revert immediately and $400,000 is appropriated for 2008-2009 fiscal year to provide need-based assistance to the family members eligible under section 250.5206, Florida Statutes. The department may use $55,000 of the appropriation for Other Personal Services staff in support of the program.

SECTION 65. The unexpended balance of funds from Specific Appropriation 3186 of chapter 2007-72, Laws of Florida, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the same purpose. From the funds provided for this purpose, the Department of Revenue shall reimburse the Office of Economic and Demographic Research for

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contractual costs incurred to conduct the review of the child support guidelines schedule in accordance with the federal Family Support Act of 1988, to ensure appropriate determination of child support award amounts, and submit a final report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 14, 2008. The Office of Economic and Demographic Research may contract with a state university or a nationally recognized organization for the purpose of collecting and analyzing the economic data necessary for the review for a period of time ending no later than June 30, 2009.

SECTION 66. The unexpended balance of funds appropriated in section 28 of chapter 2007-72, Laws of Florida, to the Department of Management Services shall revert immediately and is appropriated for the 2008-2009 fiscal year for the original purpose.

SECTION 67. The unexpended balance of funds appropriated in Specific Appropriation 3024 of chapter 2007-72, Laws of Florida, provided to the Department of Management Services, for the Florida National Guard Pensions and Benefits program, shall revert immediately and is appropriated for 2008-2009 fiscal year for the original purpose.

SECTION 68. The unexpended funds provided to the Department of Community Affairs for domestic security issues in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, and subsequently distributed to the Department of Community Affairs pursuant to budget amendments EOG# B2008-0014 and EOG# B2008-0365, and section 45 of chapter 2007-72, Laws of Florida, shall revert immediately and are appropriated for the 2008-2009 fiscal year to the Department of Community Affairs for the purpose of the original appropriations or reallocations between any of the funded projects approved by the Domestic Security Oversight Board.

SECTION 69. There is appropriated for transfer to the Grants and Donations Trust Fund in the Department of Community Affairs $4,331,377 from the following trust funds in the amounts specified:
Department of Community Affairs:
Operating Trust Fund..... $ 3,800,000
Energy Consumption Trust Fund..... $ 264,938
State Housing Trust Fund.....$ 20,000
Florida Communities Trust Fund.....$ 246,439

SECTION 70. The entire unexpended balance of the funds appropriated in Specific Appropriation 1621W of chapter 2007-72, Laws of Florida, to the Department of Community Affairs related to the pilot program in Brevard, Pasco, Polk, and Orange counties for the purpose of deploying unlimited complete, time-sensitive notices to warn against disasters shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Community Affairs to extend the procurement under Request for Proposal Number DEM 6/07-10, "Emergency Notification System Pilot Program", and to allow the ability for the Division of Emergency Management and the Executive Office of the Governor to communicate by voice and text messages with state employees, county emergency management directors and staff, university and community college emergency management directors and staff, mayors, and county commissioners. Upon completion of the pilot program, the Division of Emergency Management shall report to the Governor, the Speaker of the House of Representatives, and the President of the Senate on the success of the program, the benefits of such a program to the state's system of emergency management, preparedness and response, and options to implement such a program statewide, including implementation costs and potential funding sources. The report shall be submitted within 30 days of completion of the pilot program.

SECTION 71. From the funds appropriated in Specific Appropriation 2756 of chapter 2007-72, Laws of Florida, and subsequently transferred to the High-Impact Performance Incentive appropriation category by budget amendment EOG #0035, $1,575,000 from non-recurring authority in the General Revenue Fund shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Office of Tourism, Trade and Economic Development for the High-Impact Performance Incentive.

SECTION 72. The unexpended balance of funds provided in section 36 of chapter 2007-72, Laws of Florida, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the purpose of the original appropriation within the Department of Highway Safety and Motor Vehicles.

SECTION 73
SPECIFIC
APPROPRIATION

SECTION 73. Notwithstanding disaster relief funding agreements and other related provisions executed between the Division of Emergency Management (DEM) and the state agencies in Florida relating to grants awarded by the Federal Emergency Management Agency (FEMA) for Disaster Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, 1561-DR-FL, 1595-DR-FL, 1602-DR-FL, 1609-DR-FL, 3220-EM-FL, and 3259-EM-FL, any reimbursements received from FEMA for state agencies through June 30, 2009, shall be retained by the DEM. Upon receipt of the reimbursement, DEM shall first reimburse any applicable outstanding loans due to the Budget Stabilization Fund from the specific reimbursement. DEM shall work in consultation with the originating state agency, the Division of Risk Management and the Executive Office of the Governor to determine the appropriate amount due to the Budget Stabilization Fund. Any remaining funds shall be used for the installation of generators at designated special needs shelter sites pursuant to chapter 2006-71, Laws of Florida.

SECTION 74. If the provisions of Senate Bill 2778, or similar legislation, appropriating general revenue funds to the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development, for the 2008-2009 fiscal year do not become law, the sum of $20,000,000, in non-recurring general revenue is appropriated from the General Revenue Fund to the Office of Tourism, Trade, and Economic Development for the Quick Action Closing Fund.

SECTION 75. The funds in Specific Appropriation 2727A shall be transferred by a non-operating transfer from the State Transportation Trust Fund to the Highway Safety Operating Trust Fund to pay claims related to the settlement agreement in the case of the Department of Highway Safety and Motor Vehicles vs. Rendon.

SECTION 76. The unexpended balance of funds appropriated in section 31 chapter 2007-72, Laws of Florida, provided to the Department of Financial Services, shall revert immediately and is appropriated for the 2008-2009 fiscal year for strengthening Domestic Security support by the State Fire Marshal. Additionally, the unexpended balance of funds provided in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, and budget amendment EOG# B2008-0014, provided to the Department of Financial Services shall revert immediately and is appropriated for the 2008-2009 fiscal year for the original purpose.

SECTION 77. (1) Consistent with the provisions of section 216.221, Florida Statutes, relating to legislative direction in the General Appropriations Act regarding the use of state funds to offset General Revenue Fund deficits, and the provisions of section 216.222, Florida Statutes, relating to the transfer of funds from the Budget Stabilization Fund to the General Revenue Fund to offset deficits in the General Revenue Fund, in the event a deficit in the General Revenue Fund is certified pursuant to s. 216.221, Florida Statutes, for the 2007-2008 fiscal year or the 2008-2009 fiscal year, the following transfers are authorized, subject to approval by the Legislative Budget Commission:

(a) Funds from the Budget Stabilization Fund to the General Revenue Fund to address a deficit before any other action is taken pursuant to section 216.221, Florida Statutes. Such transfer or transfers, in the aggregate, shall not exceed the lesser of the amount of the deficit or deficits or one half of the cash balance of the Budget Stabilization Fund on May 1, 2008; and

(b) If the transfers authorized under paragraph (a) are insufficient to address a deficit in the General Revenue Fund, funds from the Lawton Chiles Endowment Fund to the General Revenue Fund to address a deficit in lieu of any other actions taken pursuant to sections 216.221 and 216.222, Florida Statutes. Such transfer or transfers shall not exceed the lesser of the amount of the deficit remaining after the transfers authorized by paragraph (a) or $1,000,000,000.

(2) This section shall take effect upon becoming a law.

SECTION 78. The sum of $250,000,000 is appropriated from General Revenue Fund on a non-recurring basis to the State Board of Administration for purposes of the Insurance Capital Build-Up Incentive

SECTION 78
SPECIFIC
APPROPRIATION

Program established pursuant to s. 215.5595, Florida Statutes. This appropriation is contingent upon Citizens Property Insurance Corporation transferring $250,000,000 to General Revenue Fund for this purpose as provided by law. Costs and fees incurred by the State Board of Administration in administering this program, including fees for investment services, shall be paid from the funds appropriated by this section.

SECTION 79. Pursuant to section 215.32(2)(b)4.a., Florida Statutes, $448,110,309 from unobligated cash balance amounts specified from the following trust funds shall be transferred to General Revenue Fund for Fiscal Year 2008-2009:

DEPARTMENT OF FINANCIAL SERVICES	
Financial Institutions' Regulatory Trust Fund	2,500,000
DEPARTMENT OF BUSINESS REGULATION	
Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund	10,000,000
Hotel and Restaurant Trust Fund	11,000,000
Professional Regulation Trust Fund	5,500,000
PUBLIC SERVICE COMMISSION	
Florida Public Service Regulatory Trust Fund	5,000,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Invasive Plant Control Trust Fund	112,800,000
DEPARTMENT OF COMMUNITY AFFAIRS	
Local Government Housing Trust Fund	235,000,000
State Housing Trust Fund	15,000,000
DEPARTMENT OF LEGAL AFFAIRS	
Crimes Compensation Trust Fund	10,000,000
Crime Stoppers Trust Fund	2,500,000
DEPARTMENT OF EDUCATION	
University Concurrency Trust Fund	30,000,000
Alec P. Courtelis Capital Facilities Matching Trust Fund	8,810,309

Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year.

SECTION 80. 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 81. Except as otherwise provided herein, this act shall take effect July 1, 2008, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2008, then it shall operate retroactively to July 1, 2008.

TOTAL THIS GENERAL APPROPRIATION ACT POSITIONS	114,061.25	
FROM GENERAL REVENUE FUND	25623,321,877	
FROM TRUST FUNDS		40577,404,275
TOTAL ALL FUNDS		66200,726,152
TOTAL APPROVED SALARY RATE	4649,802,683	

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5001** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—32

Mr. President	Dawson	King
Alexander	Dean	Lawson
Atwater	Diaz de la Portilla	Lynn
Baker	Dockery	Margolis
Bennett	Fasano	Oelrich
Bullard	Gaetz	Peaden
Carlton	Garcia	Posey
Constantine	Haridopolos	Saunders
Crist	Jones	Siplin

Storms	Webster	Wise
Villalobos	Wilson	

Nays—8

Aronberg	Hill	Rich
Deutch	Joyner	Ring
Geller	Justice	

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5003

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
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 the 2008-2009 Appropriations Act**; implements 2008-2009 General Appropriations Act; revises provisions relating to education, health & human services, criminal justice & corrections, juvenile justice, judicial administration, insurance, emergency management, environmental restoration, & general government.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (179107)(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 2008-2009 fiscal year.*

Section 2. *In order to implement Specific Appropriations 6, 7, and 81 through 83 of the 2008-2009 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2008-2009 fiscal year in the document entitled "Public School Funding - The Florida Education Finance Program" dated April 28, 2008, 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 376 through 415 of the 2008-2009 General Appropriations Act, subsection (3) of section 394.908, Florida Statutes, is amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity 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)*(a)* Any additional funding beyond the 2005-2006 fiscal year base appropriation for alcohol, drug abuse, and mental health services shall be allocated to districts for substance abuse and mental health services based on:

1.~~(a)~~ Epidemiological estimates of disabilities that apply to the respective target populations.

2.~~(b)~~ A pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of "persons in need" receive funding necessary to achieve equity.

(b) Notwithstanding paragraph (a) and for the 2008-2009 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, 2009.

(c) Notwithstanding paragraph (a) and for the 2008-2009 fiscal year only, additional funds appropriated for mental health services from funds available through the Community-Based Medicaid Administrative Claiming Program shall be allocated as provided in the 2008-2009 General Appropriations Act and in proportion to contributed provider earnings. Where these mental health funds are used in lieu of funds from the General Revenue Fund, the allocation of funds shall be unchanged from the allocation for those funds for the 2007-2008 fiscal year. This paragraph expires July 1, 2009.

Section 4. *In order to implement Specific Appropriations 302 and 314 of the 2008-2009 General Appropriations Act, the Department of Children and Family Services shall ensure that all public and private agencies and institutions participating in child welfare cases enter information specified by rule of the department into the Florida Safe Families Network in order to maintain the accuracy and usefulness of the system. The Florida Safe Families Network is intended to be the department's automated child welfare case-management system designed to provide child welfare workers with a mechanism for managing child welfare cases more efficiently and tracking children and families more effectively. The department shall coordinate with the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office for the purpose of providing any judge or magistrate and any guardian ad litem assigned to a dependency court case with access to information in the Florida Safe Families Network relating to a child welfare case which is required to be filed with the court pursuant to chapter 39, Florida Statutes, by the date of the network's release during the 2008-2009 fiscal year. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2009, with respect to progress on providing access to the Florida Safe Families Network as provided in this section. This section expires July 1, 2009.*

Section 5. Effective upon this act becoming a law, in order to implement Specific Appropriations 552, 554, 560, 562, and 563 of the 2008-2009 General Appropriations Act, paragraph (c) is added to subsection (14) of section 287.057, Florida Statutes, to read:

287.057 Procurement of commodities or contractual services.—

(14)

(c) 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.

Section 6. *In order to implement Specific Appropriation 236 of the 2008-2009 General Appropriations Act, the Agency for Health Care Administration shall study the effects of the minimum nursing home staffing ratios found in s. 400.23(3), Florida Statutes, and the relationship to Medicaid reimbursement and the quality of care provided to residents. The agency shall report its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2009. Until July 1, 2009, the agency shall not impose sanctions against a nursing home for failure to meet the staffing ratios in s. 400.23(3), Florida Statutes, or failure to impose a moratorium on new admissions pursuant to s. 400.141(15)(d), Florida Statutes, as long as the certified nursing assistant ratio is not below 2.6 hours per resident per day and the licensed nurse ratio is not below 1.0 hours per resident per day. This section expires July 1, 2009.*

Section 7. *In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 721K, 721Y, 721AJ, and 1146 of the 2008-2009 General Appropriations Act, the Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist in defraying the costs of impacts that are incurred by a municipality or county and associated with opening or operating a facility under the authority of the respective department which is located within that municipality or county. The amount that is to be paid under this section for any facility may not exceed 1 percent of the facility construction cost, less building impact fees imposed by the municipality or by the county if the facility is located in the unincorporated portion of the county. This section expires July 1, 2009.*

Section 8. In order to implement Specific Appropriations 721A through 760H and 780 through 806A of the 2008-2009 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 *2008-2009* ~~2007-2008~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the *February 15, 2008* ~~February 16, 2007~~, 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, *2009* ~~2008~~.

Section 9. *In order to implement Specific Appropriations 1301 and 1302 of the 2008-2009 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 prior years. This section expires July 1, 2009.*

Section 10. In order to implement Specific Appropriation 1210 of the 2008-2009 General Appropriations Act, 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:

(a) Payment of the balance due on any lien preserved by the court in the forfeiture proceedings.

(b) Payment of the cost incurred by the seizing agency in connection with the storage, maintenance, security, and forfeiture of such property.

(c) Payment of court costs incurred in the forfeiture proceeding.

(d) Notwithstanding any other provision of this subsection, and for the *2008-2009* ~~2007-2008~~ 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, *2009* ~~2008~~.

Section 11. *In order to implement Specific Appropriation 786 of the 2008-2009 General Appropriations Act, the Department of Corrections shall comply with the following reimbursement limitations:*

(1) If no contract exists between the Department of Corrections and a hospital licensed under chapter 395 or a health care provider providing services at a hospital licensed under chapter 395 regarding services, payments may not exceed 110 percent of the Medicare allowable rate.

(2) If a contract has been executed between the Department of Corrections and a hospital licensed under chapter 395 or a health care provider providing services at a hospital licensed under chapter 395, payments shall continue at the currently contracted rates through the current term of the contract; however, if the contract expires or is subject to renewal during the 2007-2008 fiscal year, the payments may not exceed 110 percent of Medicare allowable rate.

(3) If the Department of Corrections enters into a new contract with a hospital licensed under chapter 395 or a health care provider providing services at a hospital licensed under chapter 395, the payments may not exceed 110 percent of the Medicare allowable rate.

(4) Notwithstanding the limitations of subsections (1), (2), and (3) to the contrary, the Department of Corrections may pay up to 125 percent of the Medicare allowable rate for hospitals licensed under chapter 395 that reported to the Agency for Health Care Administration, through hospital audited financial data, a negative operating margin for the previous year.

(5) This section shall not be applicable to charges for medical services provided at any hospital operated by the Department of Corrections.

The Department of Corrections may not negotiate contracts for medical services at hospitals licensed under chapter 395 for rates other than rates based on a percentage of the Medicare allowable rate. This section expires July 1, 2009.

Section 12. *In order to implement Specific Appropriations 1266, 1286, 1307, and 1317 of the 2008-2009 General Appropriations Act, the Department of Legal Affairs is authorized to transfer cash remaining after required disbursements from Attorney General case numbers L01-6-1004, L03-6-1002, and L01-6-1009 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, 2009.*

Section 13. In order to implement Specific Appropriation 3205 of the 2008-2009 General Appropriations Act, subsection (16) is added to section 112.061, Florida Statutes, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(16) SUPREME COURT JUSTICES.—Notwithstanding any provision of this section to the contrary, the Chief Justice of the Supreme Court is authorized to reimburse justices of the Supreme Court for travel expenses, including travel, per diem, and subsistence allowances, associated with travel to Tallahassee on official business for the state from the county in which the justice resides for no more than 36 trips per justice, provided that reimbursement may not be made for travel to Tallahassee if the justice resides within 50 miles of the headquarters of the Supreme Court. This subsection expires July 1, 2009.

Section 14. In order to implement Specific Appropriations for salaries and benefits in the 2008-2009 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 2008-2009 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 Fiscal Policy and Calendar Committee and the House Policy and Budget Council. 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, 2009.

Section 15. *In order to implement the appropriation of funds in Special Categories-Risk Management Insurance of the 2008-2009 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 2008-2009 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, 2009.*

Section 16. *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 2008-2009 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 2008-2009 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, 2009.*

Section 17. In order to implement specific appropriations for salaries and benefits in the 2008-2009 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 *2008-2009* ~~2007-2008~~ 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 18. In order to implement Specific Appropriations 2801 through 2814 of the 2008-2009 General Appropriations Act, subsection (7) of section 255.503, Florida Statutes, is amended to read:

255.503 Powers of the Department of Management Services.—The Department of Management Services shall have all the authority necessary to carry out and effectuate the purposes and provisions of this act, including, but not limited to, the authority to:

(7)(a) Sell, lease, release, or otherwise dispose of facilities in the pool in accordance with applicable law.

(b) No later than the date upon which the department recommends to the Division of State Lands of the Department of Environmental Protection the disposition of any facility within the Florida Facilities Pool, the department shall provide to the President of the Senate, the Speaker of the House of Representatives, the Executive Office of the Governor, and the Division of Bond Finance of the State Board of Administration an analysis that includes:

1. The cost benefit of the proposed facility disposition, including the facility's current operating expenses, condition, and market value, and viable alternatives for work space for impacted state employees.

2. The effect of the proposed facility disposition on the financial status of the Florida Facilities Pool, including the effect on rental rates and coverage requirement for the bonds.

This paragraph expires July 1, *2009* ~~2008~~.

Section 19. In order to implement Specific Appropriations 2826 through 2835 of the 2008-2009 General Appropriations Act, paragraph (a) of subsection (3) and subsection (6) of section 287.17, Florida Statutes, are reenacted to read:

287.17 Limitation on use of motor vehicles and aircraft.—

(3)(a) The term "official state business" may not be construed to permit the use of a motor vehicle for commuting purposes, unless special assignment of a motor vehicle is authorized as a perquisite by the Department of Management Services, required by an employee after normal duty hours to perform duties of the position to which assigned, or authorized for an employee whose home is the official base of operation.

(6) It is the intention of the Legislature that persons traveling on state aircraft for purposes consistent with, but not necessarily constituting, official state business may travel only when accompanying persons who are traveling on official state business and that such persons shall pay the state for all costs associated with such travel. Notwithstanding paragraph (3)(a), a person traveling on state aircraft for purposes other than official state business shall pay for any trip not exclusively for state business by paying a prorated share of all fixed and variable expenses related to the ownership, operation, and use of such aircraft.

Section 20. *The amendment of s. 287.17, Florida Statutes, as carried forward by this act from chapters 2005-71, 2006-26, and 2007-73, Laws of Florida, shall expire July 1, 2009, and the text of that section shall revert to that in existence on June 30, 2005, except that any amendments to such text enacted other than by chapters 2005-71, 2006-26, and 2007-73, Laws of Florida, 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 21. In order to implement Specific Appropriation 3070 of the 2008-2009 General Appropriations Act, paragraph (d) of subsection (3) of section 61.1824, Florida Statutes, is amended to read:

61.1824 State Disbursement Unit.—

(3) The State Disbursement Unit shall perform the following functions:

(d) To the extent feasible, use automated procedures for the collection and disbursement of support payments, including, but not limited to, having procedures for:

1. Receipt of payments from obligors, employers, other states and jurisdictions, and other entities.

2. Timely disbursement of payments to obligees, the department, and other state Title IV-D agencies.

3. Accurate identification of payment source and amount.

4. Furnishing any parent, upon request, timely information on the current status of support payments under an order requiring payments to be made by or to the parent, except that in cases described in paragraph (1)(b), prior to the date the State Disbursement Unit becomes fully operational, the State Disbursement Unit shall not be required to convert and maintain in automated form records of payments kept pursuant to s. 61.181.

5. Electronic disbursement of support payments to obligees. The State Disbursement Unit shall notify obligees of electronic disbursement options ~~and encourage their use through promotional material~~. *Any payments made to the State Disbursement Unit that are owed to the obligee shall be disbursed electronically. The obligee may designate a personal account for deposit of payments. If the obligee does not designate a personal account, the State Disbursement Unit shall deposit any payments into a stored-value account that can be accessed by the obligee.*

Section 22. *The amendment of s. 61.1824(3)(d), Florida Statutes, made by this act shall expire July 1, 2009, 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 23. In order to implement Specific Appropriation 3070 of the 2008-2009 General Appropriations Act, subsections (2) through (8) of section 409.2558, Florida Statutes, are renumbered as subsections (3) through (9), respectively, and a new subsection (2) is added to that section, to read:

409.2558 Support distribution and disbursement.—

(2) ELECTRONIC DISBURSEMENT OF PAYMENTS.—Any payments made to the State Disbursement Unit that are owed to the obligee in a Title IV-D case shall be disbursed electronically. The obligee may designate a personal account for deposit of payments. If the obligee does not designate a personal account, the State Disbursement Unit shall deposit any payments into a stored-value account that can be accessed by the obligee. This subsection expires July 1, 2009.

Section 24. *In order to implement Specific Appropriation 3070 of the 2008-2009 General Appropriations Act, notwithstanding ss. 61.1826(4)(a) and 287.057, Florida Statutes, relating to contract extensions and renewals, the Department of Revenue shall extend for 66 months contract C3636 entered into pursuant to s. 61.1826, Florida Statutes. This section expires July 1, 2009.*

Section 25. *(1) In order to implement Specific Appropriation 3056A of the 2008-2009 General Appropriations Act and notwithstanding the provisions of Section 9 of chapter 2007-339, Laws of Florida, the moneys provided in Specific Appropriation 3056A are appropriated to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), Florida Statutes, which occur as a direct result of the implementation of revisions of Article VII of the State Constitution approved in the special election held on January 29, 2008. The moneys appropriated for this purpose shall be distributed in January of 2009 among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision.*

(2) On or before November 15, 2008, each fiscally constrained county shall apply to the Department of Revenue to participate in the distribution of the appropriation and provide documentation supporting the county's estimated reduction in ad valorem tax revenue in the form and manner prescribed by the Department of Revenue. The documentation must include an estimate of the reduction in taxable value directly attributable to revisions of Article VII of the State Constitution for all county taxing jurisdictions within the county and shall be prepared by the property appraiser in each fiscally constrained county. The documentation must also include the county millage rates applicable in all such jurisdictions for both the current year and the prior year; rolled-back rates, determined as provided in s. 200.065, Florida Statutes, for each county taxing jurisdiction; and maximum millage rates that could have been levied by majority vote pursuant to s. 200.185, Florida Statutes. For purposes of this section, each fiscally constrained county's reduction in ad valorem tax revenue shall be calculated as 95 percent of the estimated reduction in taxable value times the 2007 applicable millage rate.

(3) This section expires July 1, 2009, and shall be superseded if similar provisions contained in Senate Bill 1588, 2008 Regular Session, become law.

Section 26. In order to implement Specific Appropriation 2819 of the 2008-2009 General Appropriations Act, paragraph (b) of subsection (1) of section 255.518, Florida Statutes, is amended to read:

255.518 Obligations; purpose, terms, approval, limitations.—

(1)

(b) Payment of debt service charges ~~and any reserves~~ on obligations during the construction of any facility financed by such obligations shall be made from funds other than proceeds of obligations.

Section 27. *The amendment to s. 255.518(1)(b), Florida Statutes, by this act shall expire July 1, 2009, 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 28. *In order to implement Specific Appropriations 2536, 2537, 2538, and 2542 of the 2008-2009 General Appropriations Act, for the 2008-2009 fiscal year only and notwithstanding any conflicting requirements of section 4 of chapter 2006-12, Laws of Florida, the Department of Financial Services may expend $998,820 of the funds appropriated by section 4 of chapter 2006-12, Laws of Florida, for salaries and related expenses. This section expires July 1, 2009.*

Section 29. In order to implement Specific Appropriation 1541 of the 2008-2009 General Appropriations Act, subsection (8) of section 215.559, Florida Statutes, is renumbered as subsection (9), respectively, and a new subsection (8) is added to that section to read:

215.559 Hurricane Loss Mitigation Program.—

(8)(a) Notwithstanding any other provision of this section and for the 2008-2009 fiscal year only, the $10 million appropriation provided for in section (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 section 1 of chapter 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 July 1, 2009.

Section 30. In order to implement Section 61 of the 2008-2009 General Appropriations Act, subsection (13) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(13) Notwithstanding the provisions of this section, funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County are authorized to be deposited into the Highway Safety Operating Trust Fund to facilitate the exchange as provided in the General Appropriations Act, provided that at the conclusion of both exchanges the values are equalized. This subsection expires July 1, *2009* ~~2008~~.

Section 31. In order to implement Specific Appropriations 2063, 2070 through 2082, 2098, 2099, 2100, 2102 through 2107, 2109 through 2119, and 2159 through 2169 of the 2008-2009 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)(a) ADOPTION OF THE WORK PROGRAM.—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 *2008-2009* ~~2007-2008~~ fiscal year only, the Department of Transportation shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to *$36,750,000* ~~$25,400,000~~ for the purpose of funding *transportation-related needs of* economic development ~~transportation~~ projects*, space and aerospace infrastructure, and other economic development projects*. This transfer shall not reduce, delete, or defer any existing projects funded, as of July 1, *2008* ~~2007~~, in the Department of Transportation's 5-year work program. This paragraph expires July 1, *2009* ~~2008~~.

(c) Notwithstanding paragraph (a) *or subparagraph (4)(a)1.*, and for the *2008-2009* ~~2007-2008~~ fiscal year only, the Department of Transportation shall *fund projects in Specific Appropriations 2063, 2071, 2077, 2079, 2102, 2106, 2109, and 2116 of the 2008-2009 General Appropriations Act. Funding for these specific appropriations shall be from projects or phases thereof within the department's fiscal year 2008-2009 work program not programmed for contract letting as identified with a work program contract class code 8 and the box code RV. This funding shall not negatively impact safety, preservation, maintenance, or project contingency levels as of July 1, 2008* ~~provide funds for the Seaport Strategic Planning and Financing Task Force in an amount not to exceed $75,000; the preliminary engineering and environmental plans and activities for the construction of an interchange on Suncoast Parkway and Lutz Fern Road in an amount not to exceed $975,000; the Rehabilitation of Local Bridges in an amount not to exceed $300,000; and the East Winterberry Bridge Replacement in an amount not to exceed $500,000. To fund these specific appropriations, the Department of Transportation shall not reduce, delete, or defer any existing projects funded as of July 1, 2007, in the 5-year work program~~. This paragraph expires July 1, *2009* ~~2008~~.

Section 32. In order to implement Specific Appropriations 1511, 1586, and 1606A and section 69 of the 2008-2009 General Appropriations Act, section 553.721, Florida Statutes, is amended to read:

553.721 Surcharge.—

(1) In order for the Department of Community Affairs to administer and carry out the purposes of this part and related activities, there is hereby created a surcharge, to be assessed at the rate of one-half cent per square foot under-roof floor space permitted pursuant to s. 125.56(4) or s. 166.201. However, for additions, alterations, or renovations to existing buildings, the surcharge shall be computed on the basis of the square footage being added, altered, or renovated. The unit of government responsible for collecting a permit fee pursuant to s. 125.56(4) or s. 166.201 shall collect such surcharge and remit the funds collected to the department on a quarterly calendar basis, and such unit of government may retain an amount up to 5 percent of the surcharge collected to cover costs associated with the collection and remittance of such surcharge. All

funds remitted to the department pursuant to this subsection shall be deposited in the Operating Trust Fund. Funds collected from such surcharge shall not be used to fund research on techniques for mitigation of radon in existing buildings. Funds used by the department as well as funds to be transferred to the Department of Health shall be as prescribed in the annual General Appropriations Act. The department shall adopt rules governing the collection and remittance of surcharges in accordance with chapter 120.

(2) Notwithstanding subsection (1), and for the 2008-2009 fiscal year only, the amount transferred from the Operating Trust Fund to the Grants and Donations Trust Fund of the Department of Community Affairs pursuant to the General Appropriations Act for the 2008-2009 fiscal year shall be used for the regional planning councils, civil legal assistance, and the Front Porch Florida Initiative.

Section 33. In order to implement Specific Appropriation 2153 of the 2008-2009 General Appropriations Act, 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:

(a) To pay administrative expenses of the department, including administrative expenses incurred by the several state transportation districts, but excluding administrative expenses of commuter rail authorities that do not operate rail service.

(b) To pay the cost of construction of the State Highway System.

(c) To pay the cost of maintaining the State Highway System.

(d) To pay the cost of public transportation projects in accordance with chapter 341 and ss. 332.003-332.007.

(e) To reimburse counties or municipalities for expenditures made on projects in the State Highway System as authorized by s. 339.12(4) upon legislative approval.

(f) To pay the cost of economic development transportation projects in accordance with s. 288.063.

(g) To lend or pay a portion of the operating, maintenance, and capital costs of a revenue-producing transportation project that is located on the State Highway System or that is demonstrated to relieve traffic congestion on the State Highway System.

(h) To match any federal-aid funds allocated for any other transportation purpose, including funds allocated to projects not located in the State Highway System.

(i) To pay the cost of county road projects selected in accordance with the Small County Road Assistance Program created in s. 339.2816.

(j) To pay the cost of county or municipal road projects selected in accordance with the County Incentive Grant Program created in s. 339.2817, the Small County Outreach Program created in s. 339.2818, and the Enhanced Bridge Program for Sustainable Transportation created in s. 339.285.

(k) To provide loans and credit enhancements for use in constructing and improving highway transportation facilities selected in accordance with the state-funded infrastructure bank created in s. 339.55.

(l) To pay the cost of projects on the Florida Strategic Intermodal System created in s. 339.61.

(m) To pay the cost of transportation projects selected in accordance with the Transportation Regional Incentive Program created in s. 339.2819.

(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, 2009.

(o)~~(n)~~ To pay other lawful expenditures of the department.

Section 34. In order to implement Specific Appropriation 1775 of the 2008-2009 General Appropriations Act, subsection (3) of section 253.01, Florida Statutes, is amended to read:

253.01 Internal Improvement Trust Fund established.—

(3) In addition to the uses allowed in subsection (2) for the *2008-2009* ~~2007-2008~~ fiscal year, moneys in the Internal Improvement Trust Fund are authorized ~~to be transferred to the Ecosystem Management and Restoration Trust Fund~~ for grants and aids to local governments for *the drinking water facility construction state revolving loan program,* ~~water projects~~ as provided in the General Appropriations Act. This subsection expires July 1, *2009* ~~2008~~.

Section 35. In order to implement Specific Appropriation 1615A of the 2008-2009 General Appropriations Act, subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(a) There shall be allowed a credit of 50 percent of a community contribution against any tax due for a taxable year under this chapter.

(b) No business firm shall receive more than $200,000 in annual tax credits for all approved community contributions made in any one year.

(c) The total amount of tax credit which may be granted for all programs approved under this section, s. 212.08(5)(p), and s. 624.5105 is $10.5 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects.

(d) All proposals for the granting of the tax credit shall require the prior approval of the Office of Tourism, Trade, and Economic Development.

(e) If the credit granted pursuant to this section is not fully used in any one year because of insufficient tax liability on the part of the business firm, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year under this section after applying the other credits and unused credit carryovers in the order provided in s. 220.02(8).

(f) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis.

(g) A taxpayer who is eligible to receive the credit provided for in s. 624.5105 is not eligible to receive the credit provided by this section.

(h) Notwithstanding paragraph (c), and for the 2008-2009 fiscal year only, the total amount of tax credit which may be granted for all programs approved under this section, s. 212.08(5)(p), and s. 624.5105 is $13 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects. This paragraph expires June 30, 2009.

Section 36. In order to implement Specific Appropriation 1615A of the 2008-2009 General Appropriations Act, Section 624.5105, Florida Statutes, is amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(a) There shall be allowed a credit of 50 percent of a community contribution against any tax due for a calendar year under s. 624.509 or s. 624.510.

(b) No insurer shall receive more than $200,000 in annual tax credits for all approved community contributions made in any one year.

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 220.183 is $10.5 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects.

(d) Each proposal for the granting of such tax credit requires the prior approval of the director.

(e) If the credit granted pursuant to this section is not fully used in any one year because of insufficient tax liability on the part of the insurer, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by s. 624.509 or s. 624.510 for such year exceeds the credit under this section for such year.

(f) An insurer that claims a credit against premium-tax liability earned by making a community contribution under this section need not pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such a credit. Section 624.5091 does not limit such a credit in any manner.

(2) ELIGIBILITY REQUIREMENTS.—

(a) Each community contribution by an insurer must be in a form specified in subsection (5).

(b) Each community contribution must be reserved exclusively for use in a project as defined in s. 220.03(1)(t).

(c) The project must be undertaken by an "eligible sponsor," as defined in s. 220.183(2)(c). In no event shall a contributing insurer have a financial interest in the eligible sponsor.

(d) The project shall be located in an area designated as an enterprise zone or a Front Porch Community pursuant to s. 20.18(6). Any project designed to construct or rehabilitate housing for low-income or very-low-income households as defined in s. 420.9071(19) and (28) is exempt from the area requirement of this paragraph.

(e)1. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the Office of Tourism, Trade, and Economic Development shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications as follows:

a. If tax credit applications submitted for approved projects of an eligible sponsor do not exceed $200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

b. If tax credit applications submitted for approved projects of an eligible sponsor exceed $200,000 in total, the amount of tax credits granted under sub-subparagraph a. shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

2. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the office shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications on a pro rata basis.

(3) APPLICATION REQUIREMENTS.—

(a) Any eligible sponsor wishing to participate in this program must submit a proposal to the Office of Tourism, Trade, and Economic Development which sets forth the sponsor, the project, the area in which the project is located, and such supporting information as may be prescribed by rule. The proposal shall also contain a resolution from the local governmental unit in which the proposed project is located certifying that the project is consistent with local plans and regulations.

(b)1. Any insurer wishing to participate in this program must submit an application for tax credit to the office which sets forth the sponsor; the project; and the type, value, and purpose of the contribution. The sponsor must verify, in writing, the terms of the application and indicate its willingness to receive the contribution, which verification must accompany the application for tax credit.

2. The insurer must submit a separate application for tax credit for each individual contribution which it proposes to contribute to each individual project.

(4) ADMINISTRATION.—

(a)1. The Office of Tourism, Trade, and Economic Development is authorized to adopt all rules necessary to administer this section, including rules for the approval or disapproval of proposals by insurers.

2. The decision of the director shall be in writing, and, if approved, the proposal shall state the maximum credit allowable to the insurer. A copy of the decision shall be transmitted to the executive director of the Department of Revenue, who shall apply such credit to the tax liability of the insurer.

3. The office shall monitor all projects periodically, in a manner consistent with available resources to ensure that resources are utilized in accordance with this section; however, each project shall be reviewed no less frequently than once every 2 years.

4. The Office of Tourism, Trade, and Economic Development shall, in consultation with the Department of Community Affairs, the Florida Housing Finance Corporation, and the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

(b) The Department of Revenue shall adopt any rules necessary to ensure the orderly implementation and administration of this section.

(5) DEFINITIONS.—For the purpose of this section:

(a) "Community contribution" means the grant by an insurer of any of the following items:

1. Cash or other liquid assets.

2. Real property.

3. Goods or inventory.

4. Other physical resources which are identified by the department.

(b) "Director" means the director of the Office of Tourism, Trade, and Economic Development.

(c) "Local government" means any county or incorporated municipality in the state.

(d) "Office" means the Office of Tourism, Trade, and Economic Development.

(e) "Project" means an activity as defined in s. 220.03(1)(t).

(6) CREDIT ALLOCATIONS.—Notwithstanding paragraph (1)(c), and for the 2008-2009 fiscal year only, the total amount of tax credit

which may be granted for all programs approved under this section, s. 212.08(5)(p), and s. 220.183 is $13 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects. This subsection expires June 30, 2009.

(7)~~(6)~~ EXPIRATION.—The provisions of this section, except paragraph (1)(e), shall expire and be void on June 30, 2015.

Section 37. In order to implement Specific Appropriation 1615A of the 2008-2009 General Appropriations Act, paragraph (p) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(p) Community contribution tax credit for donations.—

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person's approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than $200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Office of Tourism, Trade, and Economic Development.

e. The total amount of tax credits which may be granted for all programs approved under this paragraph, s. 220.183, and s. 624.5105 is $10.5 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects.

f. A person who is eligible to receive the credit provided for in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under the one section of the person's choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

(I) Cash or other liquid assets;

(II) Real property;

(III) Goods or inventory; or

(IV) Other physical resources as identified by the Office of Tourism, Trade, and Economic Development.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term "project" means any activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income or very-low-income households as defined in s. 420.9071(19) and (28); designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in rural communities with enterprise zones, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to any project approved between January 1, 1996, and December 31, 1999, and located in an enterprise zone designated pursuant to s. 290.0065. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income or very-low-income households on scattered sites. With respect to housing, contributions may be used to pay the following eligible low-income and very-low-income housing-related activities:

(I) Project development impact and management fees for low-income or very-low-income housing projects;

(II) Down payment and closing costs for eligible persons, as defined in s. 420.9071(19) and (28);

(III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to low-income or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments when satisfaction of the lien is a necessary precedent to the transfer of the property to an eligible person, as defined in s. 420.9071(19) and (28), for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an "eligible sponsor," which includes:

(I) A community action program;

(II) A nonprofit community-based development organization whose mission is the provision of housing for low-income or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

(III) A neighborhood housing services corporation;

(IV) A local housing authority created under chapter 421;

(V) A community redevelopment agency created under s. 163.356;

(VI) The Florida Industrial Development Corporation;

(VII) A historic preservation district agency or organization;

(VIII) A regional workforce board;

(IX) A direct-support organization as provided in s. 1009.983;

(X) An enterprise zone development agency created under s. 290.0056;

(XI) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s. 501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

(XII) Units of local government;

(XIII) Units of state government; or

(XIV) Any other agency that the Office of Tourism, Trade, and Economic Development designates by rule.

In no event may a contributing person have a financial interest in the eligible sponsor.

d. The project must be located in an area designated an enterprise zone or a Front Porch Florida Community pursuant to s. 20.18(6), unless the project increases access to high-speed broadband capability for rural communities with enterprise zones but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income or very-low-income households as

defined in s. 420.9071(19) and (28) is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the Office of Tourism, Trade, and Economic Development shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed $200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed $200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-subparagraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the office shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. Any eligible sponsor seeking to participate in this program must submit a proposal to the Office of Tourism, Trade, and Economic Development which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting information as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and regulations.

b. Any person seeking to participate in this program must submit an application for tax credit to the office which sets forth the name of the sponsor, a description of the project, and the type, value, and purpose of the contribution. The sponsor shall verify the terms of the application and indicate its receipt of the contribution, which verification must be in writing and accompany the application for tax credit. The person must submit a separate tax credit application to the office for each individual contribution that it makes to each individual project.

c. Any person who has received notification from the office that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within any 12-month period.

4. Administration.—

a. The Office of Tourism, Trade, and Economic Development may adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the office must be in writing, and, if approved, the notification shall state the maximum credit allowable to the person. Upon approval, the office shall transmit a copy of the decision to the Department of Revenue.

c. The office shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The office shall, in consultation with the Department of Community Affairs and the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

5. Notwithstanding sub-subparagraph 1.e., and for the 2008-2009 fiscal year only, the total amount of tax credit which may be granted for all programs approved under this section, s. 220.183, and s. 624.5105 is $13 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects. This subparagraph expires June 30, 2009.

6.~~5.~~ Expiration.—This paragraph expires June 30, 2015; however, any accrued credit carryover that is unused on that date may be used until the expiration of the 3-year carryover period for such credit.

Section 38. In order to implement Specific Appropriation 1819 of the 2008-2009 General Appropriations Act, subsection (7) is added to section 403.7095, Florida Statutes, to read:

403.7095 Solid waste management grant program.—

(7)(a) Notwithstanding any provision of this section to the contrary, and for the 2008-2009 fiscal year only, the Department of Environmental Protection shall award:

1. The sum of $9,428,773 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.

2. The sum of $2,000,781 to be used for the Innovative Grant Program.

(b) This subsection expires July 1, 2009.

Section 39. In order to implement Specific Appropriation 1336 through 1496 of the 2008-2009 General Appropriations Act, section 570.20, Florida Statutes, is amended to read:

570.20 General Inspection Trust Fund.—

(1) All donations and all inspection fees and other funds authorized and received from whatever source in the enforcement of the inspection laws administered by the department shall be paid into the General Inspection Trust Fund of Florida, which is created in the office of the Chief Financial Officer. All expenses incurred in carrying out the provisions of the inspection laws shall be paid from this fund as other funds are paid from the State Treasury. A percentage of all revenue deposited in this fund, including transfers from any subsidiary accounts, shall be deposited in the General Revenue Fund pursuant to chapter 215, except that funds collected for marketing orders shall pay at the rate of 3 percent.

(2) For the *2008-2009* ~~2007-2008~~ 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, *2009* ~~2008~~.

Section 40. *In order to implement Specific Appropriations relating to the Florida Forever Act and notwithstanding chapter 216, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds between fixed capital outlay categories and between departments and establish new fixed capital outlay categories contingent upon the distribution formula as specified in CS/CS/SB 542 or similar legislation, if such legislation becomes law. This section expires July 1, 2009.*

Section 41. In order to implement Specific Appropriation 1778 of the 2008-2009 General Appropriations Act, subsection (5) is added to section 373.1961, Florida Statutes, to read:

373.1961 Water production; general powers and duties; identification of needs; funding criteria; economic incentives; reuse funding.—

(5) FUNDING FOR ALTERNATIVE WATER SUPPLY.—Notwithstanding subsection (3), and for the 2008-2009 fiscal year only, $5,000,000 provided for alternative water supply shall be allocated as shown in the General Appropriations Act. This subsection expires July 1, 2009.

Section 42. In order to implement Specific Appropriations 1767 and 1772C of the 2008-2009 General Appropriations Act, subsections (3) and (4) of section 403.890, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a subsection (3) is added to that section to read:

403.890 Water Protection and Sustainability Program; intent; goals; purposes.—

(3) In addition to the uses allowed in subsection (1) for the 2008-2009 fiscal year, moneys in the Water Protection and Sustainability Program Trust Fund shall be transferred to 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 subsection expires July 1, 2009.

Section 43. In order to implement Specific Appropriations 1767 and 1772C of the 2008-2009 General Appropriations Act, subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)(a) Any moneys in the Land Acquisition Trust Fund which are not pledged for rentals or debt service as provided in subsection (2) may be expended from time to time to acquire land, water areas, and related resources and to construct, improve, enlarge, extend, operate, and maintain capital improvements and facilities in accordance with the plan.

(b) In addition to the uses allowed in paragraph (a), for the *2008-2009* ~~2006-2007~~ fiscal year, moneys in the Land Acquisition Trust Fund are authorized for ~~expenditure or~~ transfer to the *Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects as provided in the General Appropriations Act* ~~Florida Forever Trust Fund and the Save Our Everglades Trust Fund to support the programs authorized in chapters 259 and 373~~. This paragraph expires July 1, *2009* ~~2007~~.

Section 44. In order to implement Specific Appropriation 1799 of the 2008-2009 General Appropriations Act, paragraph (c) of subsection (5) of section 376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(5) SITE SELECTION AND CLEANUP CRITERIA.—

(c) The department shall require source removal, if warranted and cost-effective, at each site eligible for restoration funding from the Inland Protection Trust Fund.

1. Funding for free product recovery may be provided in advance of the order established by the priority ranking system under paragraph (a) for site cleanup activities. However, a separate prioritization for free product recovery shall be established consistent with paragraph (a). No more than $5 million shall be encumbered from the Inland Protection Trust Fund in any fiscal year for free product recovery conducted in advance of the priority order under paragraph (a) established for site cleanup activities.

2. Funding for limited interim soil-source removals for sites that will become inaccessible for future remediation due to road infrastructure and right-of-way restrictions resulting from a pending Department of Transportation road construction project or for secondary containment upgrading of underground storage tanks required under chapter 62-761, Florida Administrative Code, may be provided in advance of the order established by the priority ranking system under paragraph (a) for site cleanup activities. The department shall provide written guidance on the limited source removal information and technical evaluation necessary to justify a request for a limited source removal in advance of the priority order pursuant to paragraph (a) established for site cleanup activities. Prioritization for limited source removal projects associated with a secondary containment upgrade in any fiscal year shall be determined on a first-come, first-served basis according to the approval date issued under s. 376.30711 for the limited source removal. Funding for limited source removals associated with secondary containment upgrades shall be limited to 10 sites in each fiscal year for each facility owner and any related person. The limited source removal for secondary containment upgrades shall be completed no later than 6 months after the department issues its approval of the project, and the approval automatically expires at the end of the 6 months. Funding for Department of Transportation and secondary containment upgrade source removals may not exceed $50,000 for a single facility unless the department makes a determination that it is cost-effective and environmentally beneficial to exceed this amount, but in no event shall the department authorize costs in excess of $100,000 for a single facility. Department funding for limited interim soil-source removals associated with Department of Transportation projects and secondary containment upgrades shall be limited to supplemental soil assessment, soil screening, soil removal, backfill material, treatment or disposal of the contaminated soil, dewatering related to the contaminated soil removal in an amount of up to 10 percent of the total interim soil-source removal project costs, treatment, and disposal of the contaminated groundwater and preparation of the source removal report. No other costs associated with the facility upgrade may be paid with department funds. No more than $1 million for Department of Transportation limited source removal projects and $10 million for secondary containment upgrade limited source removal projects conducted in advance of the priority order established under paragraph (a) for site cleanup activities shall be encumbered from the Inland Protection Trust Fund in any fiscal year. This subparagraph is repealed effective June 30, *2009* ~~2008~~.

3. Once free product removal and other source removal identified in this paragraph are completed at a site, and notwithstanding the order established by the priority ranking system under paragraph (a) for site cleanup activities, the department may reevaluate the site to determine the degree of active cleanup needed to continue site rehabilitation. Further, the department shall determine if the reevaluated site qualifies for natural attenuation monitoring or no further action. If additional site rehabilitation is necessary to reach no further action status, the site rehabilitation shall be conducted in the order established by the priority ranking system under paragraph (a) and the department is encouraged to utilize natural attenuation and monitoring where site conditions warrant.

Section 45. In order to implement section 38 of the 2008-2009 General Appropriations Act, subsection (1) of section 373.472, Florida Statutes, is amended to read:

373.472 Save Our Everglades Trust Fund.—

(1)*(a)* There is created within the Department of Environmental Protection the Save Our Everglades Trust Fund. Funds in the trust fund shall be expended to implement the comprehensive plan defined in s. 373.470(2)(a), the Lake Okeechobee Watershed Protection Plan defined in s. 373.4595(2), the Caloosahatchee River Watershed Protection Plan defined in s. 373.4595(2), and the St. Lucie River Watershed Protection Plan defined in s. 373.4595(2), and to pay debt service for Everglades restoration bonds issued pursuant to s. 215.619. The trust fund shall serve as the repository for state, local, and federal project contributions in accordance with s. 373.470(4).

(b) For the 2008-2009 fiscal year only, the uses and purposes of the trust fund specified in paragraph (a) are not applicable. This paragraph expires July 1, 2009.

Section 46. *In order to implement Specific Appropriation 1448 of the 2008-2009 General Appropriations Act, and notwithstanding section 287.057, Florida Statutes, the Department of Agriculture and Consumer Services, at its discretion, is authorized to extend, revise, and renew current contracts or agreements created or entered into, pursuant to chapter 2006-25, Laws of Florida, in order to provide consistency and continuity in agriculture promotion throughout the state. This section expires July 1, 2009.*

Section 47. *(1) The Governor may recommend to the Legislative Budget Commission, and the Legislative Budget Commission may approve, a budget amendment or amendments to transfer funds from the Budget Stabilization Fund to the General Revenue Fund.*

(2) If the transfers from the Budget Stabilization Fund authorized in subsection (1) are insufficient to address deficits in the General Revenue Fund, the Governor may recommend, and the Legislative Budget Commission may approve, a budget amendment or amendments to transfer funds from the Lawton Chiles Endowment Fund to the General Revenue Fund, notwithstanding the provisions of s. 215.5601, Florida Statutes, to the contrary. Any expenditure from the Lawton Chiles Endowment Fund made pursuant to this subsection must be restored by making five equal annual transfers from the General Revenue Fund, beginning in the third fiscal year following that in which the expenditure was made.

(3) This section is intended to implement section 77 of the 2008-2009 General Appropriations Act relating to the use of state funds to offset General Revenue Fund deficits certified pursuant to s. 216.221, Florida Statutes. Actions taken pursuant to this section shall be in lieu of any other actions taken pursuant to ss. 216.221 and 216.222, Florida Statutes, to address such deficits.

(4) This section shall take effect upon becoming a law and shall expire June 30, 2009.

Section 48. Effective upon this act becoming a law, in order to implement Specific Appropriations 640, 656, and 658A of the 2008-2009 General Appropriations Act, subsection (4) of section 215.5601, Florida Statutes, is amended to read:

215.5601 Lawton Chiles Endowment Fund.—

(4) ADMINISTRATION.—

(a) The board may invest and reinvest funds of the endowment in accordance with s. 215.47 and consistent with an investment policy statement developed by the executive director and approved by the board.

(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.*

(c) In accordance with s. 215.44, the board shall include separate sections on the financial status of the endowment in its annual investment report to the Legislature.

(d) Accountability for funds from the endowment which have been appropriated to a state agency and distributed by the board shall reside with the state agency. The board is not responsible for the proper expenditure of or accountability concerning funds from the endowment after distribution to a state agency.

(e) Costs and fees of the board for investment services shall be deducted from the earnings accruing to the endowment. Fees for investment services shall be no greater than fees charged to the Florida Retirement System.

Section 49. *The amendment of s. 215.5601(4), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that subsection 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 50. *In order to implement the issuance of new debt authorized in the 2008-2009 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 2008-2009 fiscal year is in the best interest of the state and should be implemented. This section expires July 1, 2009.*

Section 51. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2008-2009 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 52. *In order to implement Specific Appropriations 2751 and 2752 of the 2008-2009 General Appropriations Act:*

(1) Notwithstanding the provisions of section 11.13(1), Florida Statutes, relating to the annual adjustment of salaries for members of the Legislature, to the contrary, for the 2008-2009 fiscal year only, the authorized salaries of members of the Legislature in effect on June 30, 2008, shall be reduced by 5 percent.

(2) Effective June 30, 2009, the annual salaries of members of the Legislature shall be set at the amounts authorized and in effect on June 30, 2008.

(3) This section expires July 1, 2009.

Section 53. *A section of this act that implements a specific appropriation or specifically identified proviso language in the 2008-2009 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 2008-2009 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 54. *If any other act passed in 2008 contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act shall take precedence and shall continue to operate, notwithstanding the future repeal provided by this act.*

Section 55. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 56. 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, 2008; 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, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; amending s. 394.908, F.S.; requiring that funds appropriated for forensic mental health treatment services be allocated to the areas of the state having the greatest demand for services and treatment capacity; providing allocation requirements for specified funds appropriated for mental health services; requiring the Department of Children and Family Services to ensure information is entered into the Florida Safe Families Network; requiring coordination between the department and the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office to provide information relating to child welfare cases; requiring a report to the Governor and Legislature; amending s. 287.057, F.S.; authorizing the Department of Health to enter into an agreement with a specified private contractor to finance, design, and construct a hospital for the treatment of patients with active tuberculosis; requiring the Agency for Health Care Administration to study the effects of certain required minimum nursing home staffing ratios and report to the Governor and Legislature; prohibiting the agency from imposing sanctions related to such staffing ratios; 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 expend appropriated funds on programs funded in the preceding fiscal year; amending s. 932.7055, F.S.; extending the expiration date of provisions authorizing the expenditure of funds in a special law enforcement trust fund established by the governing body of a municipality; specifying certain limitations on reimbursements to a health care provider or hospital by the Department of Corrections; providing an exception for hospitals that reported a negative operating margin for the prior year; requiring that contract rates of the Department of Corrections be based on a percentage of the Medicare allowable rate; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; amending s. 112.061, F.S.; providing for certain reimbursement for travel expenses of Supreme Court justices; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; 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. 255.503, F.S.; delaying the expiration of provisions authorizing the Department of Management Services to sell, lease, or otherwise dispose of facilities within the Florida Facilities Pool and report to the Legislature, the Governor, and the Division of Bond Finance; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; providing for the future expiration of certain amendments to such provisions; amending s. 61.1824, F.S.; requiring electronic disbursement of certain payments made to the State Disbursement Unit; amending s. 409.2558, F.S.; requiring electronic disbursement of certain payments made to the State Disbursement Unit; authorizing the Department of Revenue to extend the length of a specified contract; offsetting reductions in ad valorem tax revenue experienced by fiscally constrained counties occurring as a direct result of the implementation of revisions of Article VII of the State Constitution approved in the special election held on January 29, 2008; amending s. 255.518, F.S.; revising provisions relating to payment of obligations during the construction of any facility financed by such obligations; authorizing the Department of Financial Services to expend certain funds for salaries and related expenses; amending s. 215.559, F.S.; providing for allocation of funds appropriated to the Hurricane Loss Mitigation Program for specified purposes; amending s. 253.034, F.S.; delaying the expiration of provisions authorizing the deposit of funds from the sale of property located in Palm Beach County into the Highway Safety Operating Trust Fund by the Department of Highway Safety and Motor Vehicles; amending s. 339.135, F.S.; delaying the expiration of provisions requiring the Department of Transportation to transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding transportation-related needs of economic development transportation projects, space and aerospace infrastructure, and other economic development projects; amending s. 553.721, F.S.; providing for the proceeds from the surcharge collected by the Department of Community Affairs on building additions and renovations to be used to fund regional planning councils, civil legal assistance, and the Front Porch Florida Initiative; amending s. 339.08, F.S.; providing for administrative expenses from the State Transportation Trust Fund; amending s. 253.01, F.S.; providing for moneys in the Internal Improvement Trust Fund to be used for grants and aids to local governments for the drinking water facility construction state revolving loan program; amending ss. 212.08, 220.183, and 624.5105, F.S.; providing allocations and limitations on community contribution tax credits; amending s. 403.7095, F.S.; authorizing the Department of Environmental Protection to award funds under the solid waste management grant program for certain purposes; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; providing fund transfer authority relating to the Florida Forever Act; amending s. 373.1961, F.S.; providing that funding for alternative water supply shall be allocated as shown in the General Appropriations Act; amending s. 403.890, F.S.; authorizing transfer of moneys in the Water Protection and Sustainability Program Trust Fund to the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects as provided in the General Appropriations Act; amending s. 375.041, F.S.; authorizing transfer of moneys in the Land Acquisition Trust Fund to the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects as provided

in the General Appropriations Act; amending s. 376.3071, F.S.; extending use of funds in the Inland Protection Trust Fund for certain limited interim soil-source removals; providing for the authorization and issuance of new debt; amending s. 373.472, F.S.; suspending certain uses and purposes of the Save Our Everglades Trust Fund; authorizing the Department of Agriculture and Consumer Services, at its discretion, to extend, revise, and renew certain contracts or agreements in order to provide consistency and continuity in agriculture promotion throughout the state; authorizing and providing conditions for the transfer of funds from the Budget Stabilization Fund or the Lawton Chiles Endowment Fund to the General Revenue Fund; amending s. 215.5601, F.S.; revising the investment objective of the Lawton Chiles Endowment Fund and providing construction with respect thereto; providing intent with respect to the issuance of debt; 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 2008-2009 General Appropriations Act; providing for reduction in legislator salaries; providing for future expiration of various provisions; 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 Carlton was adopted. **HB 5003** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—33

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Atwater	Fasano	Peaden
Baker	Gaetz	Posey
Bennett	Geller	Ring
Bullard	Haridopolos	Saunders
Carlton	Hill	Siplin
Constantine	Jones	Storms
Crist	King	Webster
Dawson	Lawson	Wilson
Dean	Lynn	Wise

Nays—7

Aronberg	Joyner	Rich
Deutch	Justice	Villalobos
Garcia		

Vote after roll call:

Yea to Nay—Ring

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5043, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5043

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5043, same being:

An act relating to **Financial Services**; establishing a task force to develop a business plan for a successor financial and cash management system; requiring the Chief Financial Officer to appoint members to and head the task force; requiring that the directors of the Agency for Enterprise Information Technology and the Office of Policy and Budget in the Executive Office of the Governor participate as members of the task force; specifying requirements for a strategic business plan; requiring that administrative services directors, finance and accounting officers, and budget directors of all branches of state government cooperate with the task force; requiring the task force to submit the business plan to the Governor and the Legislature; requiring that certain information be included in the plan; requiring the Chief Financial Officer to submit an initial report and recommended legislation by a specified date; establishing the Strategic Markets Research and Assessment Unit within the Department of Financial Services; requiring that the unit periodically report to the Cabinet and the Legislature; specifying the information be included in the report; requiring that the Chief Financial Officer submit to the Cabinet and the Legislature findings and recommendations concerning regulatory and policy changes; requiring the Office of Financial Regulation of the Financial Services Commission to transfer the entire registration assessment fee paid by associated persons and a certain percentage of the assessment fee paid by dealers and investment advisors to the Regulatory Trust Fund; revising the required percentages of funds collected pursuant to certain taxes on surplus lines premiums and related interest which are deposited into the Insurance Regulatory Trust Fund and the General Revenue Fund.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

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Chair and At Large
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s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
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s/Dean Cannon
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s/Larry Cretul, At Large
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Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
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Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant

s/Sandra "Sandy" Adams
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Loranne Ausley
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s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley

s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
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s/William L. "Bill" Proctor
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Yolly Roberson
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Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (347991) (with title amendment)—Remove everything after the enacting clause and insert:

Section 57. Section 17.0315, Florida Statutes, is created to read:

17.0315 Financial and cash management system; task force.—

(1) The Chief Financial Officer, as the constitutional officer responsible for settling and approving accounts against the state and keeping all state funds pursuant to s. 4, Art. IV of the State Constitution, shall be the head of and appoint members to a task force established to develop a strategic business plan for a successor financial and cash management system. The task force shall include the executive director of the Agency for Enterprise Information Technology and the director of the Office of Policy and Budget in the Executive Office of the Governor. Any member of the task force may appoint a designee.

(2) The strategic business plan for a successor financial and cash management system must:

(a) Permit proper disbursement and auditing controls consistent with the respective constitutional duties of the Chief Financial Officer and the Legislature;

(b) Promote transparency in the accounting of public funds;

(c) Provide timely and accurate recording of financial transactions by agencies and their professional staffs;

(d) Support executive reporting and data analysis requirements;

(e) Be capable of interfacing with other systems providing human resource services, procuring goods and services, and providing other enterprise functions;

(f) Be capable of interfacing with the existing legislative appropriations, planning, and budgeting systems;

(g) Be coordinated with the information technology strategy development efforts of the Agency for Enterprise Information Technology;

(h) Be coordinated with the revenue estimating conference process as supported by the Office of Economic and Demographic Research; and

(i) Address other such issues as the Chief Financial Officer identifies.

(3) State agency administrative services directors, finance and accounting officers, and budget directors within all branches of state government shall fully cooperate with the task force in its development of the strategic plan. The task force shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a strategic business plan that includes, but is not limited to:

(a) Identifying problems and opportunities imposed by current law and the current administration with respect to existing state accounting and cash management systems;

(b) Providing developmental solutions to known failures, including, but not limited to, those identified by external review and audit reports;

(c) Recommending business processes, requirements, and governance structure to support a standardized statewide accounting and cash management system;

(d) Evaluating alternative funding approaches to equitably distribute common accounting infrastructure costs across all participating users; and

(e) Providing an enterprise-wide work product that can be used as the basis for a revised competitive procurement process for the implementation of a successor system.

The Chief Financial Officer shall submit the initial report, along with draft legislation recommended to implement a standardized statewide financial and cash management system, by February 1, 2009.

Section 58. Subsection (6) is added to section 20.121, Florida Statutes, to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(6) STRATEGIC MARKETS RESEARCH AND ASSESSMENT UNIT.—The Strategic Markets Research and Assessment Unit is established within the Department of Financial Services. The Chief Financial Officer or his or her designee shall report on September 1, 2008, and quarterly thereafter, to the Cabinet, the President of the Senate, and the Speaker of the House of Representatives on the status of the state's financial services markets. At a minimum, the report must include a summary of issues, trends, and threats that broadly impact the condition of the financial services industries, along with the effect of such conditions on financial institutions, the securities industries, other financial entities, and the credit market. The Chief Financial Officer shall also provide findings and recommendations regarding regulatory and policy changes to the Cabinet, the President of the Senate, and the Speaker of the House of Representatives.

Section 59. Section 517.315, Florida Statutes, is amended to read:

517.315 Fees.—All fees of any nature collected by the office pursuant to this chapter shall be disbursed as follows:

(1) The office shall transfer the amount of fees required to be deposited into the Securities Guaranty Fund pursuant to s. 517.131;

(2) After the transfer required in subsection (1), the office shall transfer ~~$20 of~~ the $50 assessment fee collected from each associated person under s. 517.12(10) and (11) *and 30.44 percent of the $100 assessment fee paid by dealers and investment advisors for each office in the state under s. 517.12(10) and (11)* to the Regulatory Trust Fund; and

(3) All remaining fees shall be deposited into the General Revenue Fund.

Section 60. Subsection (5) of section 626.932, Florida Statutes, is amended to read:

626.932 Surplus lines tax.—

(5) The department shall deposit *15.74* ~~24.3~~ percent of all taxes collected under this section to the credit of the Insurance Regulatory Trust Fund. *Eighty-four and twenty-six hundredths* ~~Seventy-five and seven-tenths~~ percent of all taxes collected under this section shall be deposited into the General Revenue Fund.

Section 61. Subsection (7) of section 626.938, Florida Statutes, is amended to read:

626.938 Report and tax of independently procured coverages.—

(7) The department shall deposit *15.74* ~~24.3~~ percent of all taxes and interest collected under this section to the credit of the Insurance Regulatory Trust Fund. *Eighty-four and twenty-six hundredths* ~~Seventy-five and seven-tenths~~ percent of all taxes and interest collected under this section shall be deposited into the General Revenue Fund.

Section 62. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to financial services; creating s. 17.0315, F.S.; establishing a task force to develop a business plan for a successor financial and cash management system; requiring the Chief Financial Officer to appoint members to and head the task force; requiring that the directors of the Agency for Enterprise Information Technology and the Office of Policy and Budget in the Executive Office of the Governor participate as members of the task force; specifying requirements for a strategic business plan; requiring that administrative services directors, finance and accounting officers, and budget directors of all branches of state government cooperate with the task force; requiring the task force to submit the business plan to the Governor and the Legislature; requiring that certain information be included in the plan; requiring the Chief Financial Officer to submit an initial report and recommended legislation by a specified date; amending s. 20.121, F.S.; establishing the Strategic Markets Research and Assessment Unit within the Department of Financial Services; requiring that the unit periodically report to the Cabinet and the Legislature; specifying the information be included in the report; requiring that the Chief Financial Officer submit to the Cabinet and the Legislature findings and recommendations concerning regulatory and policy changes; amending s. 517.315, F.S.; requiring the Office of Financial Regulation of the Financial Services Commission to transfer the entire registration assessment fee paid by associated persons and a certain percentage of the assessment fee paid by dealers and investment advisors to the Regulatory Trust Fund; amending ss. 626.932 and 626.938, F.S.; revising the required percentages of funds collected pursuant to certain taxes on surplus lines premiums and related interest which are deposited into the Insurance Regulatory Trust Fund and the General Revenue Fund; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5043** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—36

Mr. President	Deutch	Lynn
Alexander	Diaz de la Portilla	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Geller	Posey
Bennett	Haridopolos	Rich
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise

Nays—2

Garcia	Villalobos

Vote after roll call:

Yea—Dockery, Ring

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5045, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5045

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5045, same being:

An act relating to **Workers' Compensation Medical Services and Supplies**; providing for a type two transfer of responsibilities with respect to the provision of workers' compensation medical services and supplies from the Agency for Health Care Administration to the Department of Financial Services; revising terminology, to conform.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
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s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
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s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly

s/Sandra "Sandy" Adams
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Mary Brandenburg
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s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
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s/Charles McBurney
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Scott Randolph
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s/Garrett Richter
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s/Carlos Lopez-Cantera
s/Stan Mayfield
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Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (711627)(with title amendment)—Remove everything after the enacting clause and insert:

Section 63. *All powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds of the Agency for Health Care Administration with respect to the agency's responsibilities for the provision of workers' compensation medical services and supplies are transferred intact by a type two transfer, as defined in s. 20.06(2), Florida Statutes, from the Agency for Health Care Administration to the Department of Financial Services.*

Section 64. Subsections (1), (3), (6) through (9), and (11) through (13) of section 440.13, Florida Statutes, are amended to read:

440.13 Medical services and supplies; penalty for violations; limitations.—

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

(a) "Alternate medical care" means a change in treatment or health care provider.

(b) "Attendant care" means care rendered by trained professional attendants which is beyond the scope of household duties. Family members may provide nonprofessional attendant care, but may not be compensated under this chapter for care that falls within the scope of household duties and other services normally and gratuitously provided by family members. "Family member" means a spouse, father, mother, brother, sister, child, grandchild, father-in-law, mother-in-law, aunt, or uncle.

(c) "Carrier" means, for purposes of this section, insurance carrier, self-insurance fund or individually self-insured employer, or assessable mutual insurer.

(d) "Certified health care provider" means a health care provider who has been certified by the *department* ~~agency~~ or who has entered an agreement with a licensed managed care organization to provide treatment to injured workers under this section. Certification of such health care provider must include documentation that the health care provider has read and is familiar with the portions of the statute, impairment guides, practice parameters, protocols of treatment, and rules which govern the provision of remedial treatment, care, and attendance.

(e) "Compensable" means a determination by a carrier or judge of compensation claims that a condition suffered by an employee results from an injury arising out of and in the course of employment.

(f) "Emergency services and care" means emergency services and care as defined in s. 395.002.

(g) "Health care facility" means any hospital licensed under chapter 395 and any health care institution licensed under chapter 400 or chapter 429.

(h) "Health care provider" means a physician or any recognized practitioner who provides skilled services pursuant to a prescription or under the supervision or direction of a physician and who has been certified by the *department* ~~agency~~ as a health care provider. The term "health care provider" includes a health care facility.

(i) "Independent medical examiner" means a physician selected by either an employee or a carrier to render one or more independent medical examinations in connection with a dispute arising under this chapter.

(j) "Independent medical examination" means an objective evaluation of the injured employee's medical condition, including, but not limited to, impairment or work status, performed by a physician or an expert medical advisor at the request of a party, a judge of compensation claims, or the *department* ~~agency~~ to assist in the resolution of a dispute arising under this chapter.

(k) "Instance of overutilization" means a specific inappropriate service or level of service provided to an injured employee that includes the provision of treatment in excess of established practice parameters and protocols of treatment established in accordance with this chapter.

(l) "Medically necessary" or "medical necessity" means any medical service or medical supply which is used to identify or treat an illness or injury, is appropriate to the patient's diagnosis and status of recovery, and is consistent with the location of service, the level of care provided, and applicable practice parameters. The service should be widely accepted among practicing health care providers, based on scientific criteria, and determined to be reasonably safe. The service must not be of an experimental, investigative, or research nature.

(m) "Medicine" means a drug prescribed by an authorized health care provider and includes only generic drugs or single-source patented drugs for which there is no generic equivalent, unless the authorized health care provider writes or states that the brand-name drug as defined in s. 465.025 is medically necessary, or is a drug appearing on the schedule of drugs created pursuant to s. 465.025(6), or is available at a cost lower than its generic equivalent.

(n) "Palliative care" means noncurative medical services that mitigate the conditions, effects, or pain of an injury.

(o) "Pattern or practice of overutilization" means repetition of instances of overutilization within a specific medical case or multiple cases by a single health care provider.

(p) "Peer review" means an evaluation by two or more physicians licensed under the same authority and with the same or similar specialty as the physician under review, of the appropriateness, quality, and cost of health care and health services provided to a patient, based on medically accepted standards.

(q) "Physician" or "doctor" means a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a chiropractic physician licensed under chapter 460, a podiatric physician licensed under chapter 461, an optometrist licensed under chapter 463, or a dentist licensed under chapter 466, each of whom must be certified by the *department* ~~agency~~ as a health care provider.

(r) "Reimbursement dispute" means any disagreement between a health care provider or health care facility and carrier concerning payment for medical treatment.

(s) "Utilization control" means a systematic process of implementing measures that assure overall management and cost containment of services delivered, including compliance with practice parameters and protocols of treatment as provided for in this chapter.

(t) "Utilization review" means the evaluation of the appropriateness of both the level and the quality of health care and health services provided to a patient, including, but not limited to, evaluation of the appropriateness of treatment, hospitalization, or office visits based on medically accepted standards. Such evaluation must be accomplished by means of a system that identifies the utilization of medical services

based on practice parameters and protocols of treatment as provided for in this chapter.

(3) PROVIDER ELIGIBILITY; AUTHORIZATION.—

(a) As a condition to eligibility for payment under this chapter, a health care provider who renders services must be a certified health care provider and must receive authorization from the carrier before providing treatment. This paragraph does not apply to emergency care. The *department* ~~agency~~ shall adopt rules to implement the certification of health care providers.

(b) A health care provider who renders emergency care must notify the carrier by the close of the third business day after it has rendered such care. If the emergency care results in admission of the employee to a health care facility, the health care provider must notify the carrier by telephone within 24 hours after initial treatment. Emergency care is not compensable under this chapter unless the injury requiring emergency care arose as a result of a work-related accident. Pursuant to chapter 395, all licensed physicians and health care providers in this state shall be required to make their services available for emergency treatment of any employee eligible for workers' compensation benefits. To refuse to make such treatment available is cause for revocation of a license.

(c) A health care provider may not refer the employee to another health care provider, diagnostic facility, therapy center, or other facility without prior authorization from the carrier, except when emergency care is rendered. Any referral must be to a health care provider that has been certified by the *department* ~~agency~~, unless the referral is for emergency treatment, and the referral must be made in accordance with practice parameters and protocols of treatment as provided for in this chapter.

(d) A carrier must respond, by telephone or in writing, to a request for authorization from an authorized health care provider by the close of the third business day after receipt of the request. A carrier who fails to respond to a written request for authorization for referral for medical treatment by the close of the third business day after receipt of the request consents to the medical necessity for such treatment. All such requests must be made to the carrier. Notice to the carrier does not include notice to the employer.

(e) Carriers shall adopt procedures for receiving, reviewing, documenting, and responding to requests for authorization. Such procedures shall be for a health care provider certified under this section.

(f) By accepting payment under this chapter for treatment rendered to an injured employee, a health care provider consents to the jurisdiction of the *department* ~~agency~~ as set forth in subsection (11) and to the submission of all records and other information concerning such treatment to the *department* ~~agency~~ in connection with a reimbursement dispute, audit, or review as provided by this section. The health care provider must further agree to comply with any decision of the *department* ~~agency~~ rendered under this section.

(g) The employee is not liable for payment for medical treatment or services provided pursuant to this section except as otherwise provided in this section.

(h) The provisions of s. 456.053 are applicable to referrals among health care providers, as defined in subsection (1), treating injured workers.

(i) Notwithstanding paragraph (d), a claim for specialist consultations, surgical operations, physiotherapeutic or occupational therapy procedures, X-ray examinations, or special diagnostic laboratory tests that cost more than $1,000 and other specialty services that the *department* ~~agency~~ identifies by rule is not valid and reimbursable unless the services have been expressly authorized by the carrier, or unless the carrier has failed to respond within 10 days to a written request for authorization, or unless emergency care is required. The insurer shall authorize such consultation or procedure unless the health care provider or facility is not authorized or certified, unless such treatment is not in accordance with practice parameters and protocols of treatment established in this chapter, or unless a judge of compensation claims has determined that the consultation or procedure is not medically necessary, not in accordance with the practice parameters and protocols of treatment established in this chapter, or otherwise not compensable under this chapter. Authorization of a treatment plan does not constitute express authorization for purposes of this section, except to the extent the carrier provides otherwise in its authorization procedures. This paragraph does not limit the carrier's obligation to identify and disallow overutilization or billing errors.

(j) Notwithstanding anything in this chapter to the contrary, a sick or injured employee shall be entitled, at all times, to free, full, and absolute choice in the selection of the pharmacy or pharmacist dispensing and filling prescriptions for medicines required under this chapter. It is expressly forbidden for the *department* ~~agency~~, an employer, or a carrier, or any agent or representative of the *department* ~~agency~~, an employer, or a carrier, to select the pharmacy or pharmacist which the sick or injured employee must use; condition coverage or payment on the basis of the pharmacy or pharmacist utilized; or to otherwise interfere in the selection by the sick or injured employee of a pharmacy or pharmacist.

(6) UTILIZATION REVIEW.—Carriers shall review all bills, invoices, and other claims for payment submitted by health care providers in order to identify overutilization and billing errors, including compliance with practice parameters and protocols of treatment established in accordance with this chapter, and may hire peer review consultants or conduct independent medical evaluations. Such consultants, including peer review organizations, are immune from liability in the execution of their functions under this subsection to the extent provided in s. 766.101. If a carrier finds that overutilization of medical services or a billing error has occurred, or there is a violation of the practice parameters and protocols of treatment established in accordance with this chapter, it must disallow or adjust payment for such services or error without order of a judge of compensation claims or the *department* ~~agency~~, if the carrier, in making its determination, has complied with this section and rules adopted by the *department* ~~agency~~.

(7) UTILIZATION AND REIMBURSEMENT DISPUTES.—

(a) Any health care provider, carrier, or employer who elects to contest the disallowance or adjustment of payment by a carrier under subsection (6) must, within 30 days after receipt of notice of disallowance or adjustment of payment, petition the *department* ~~agency~~ to resolve the dispute. The petitioner must serve a copy of the petition on the carrier and on all affected parties by certified mail. The petition must be accompanied by all documents and records that support the allegations contained in the petition. Failure of a petitioner to submit such documentation to the *department* ~~agency~~ results in dismissal of the petition.

(b) The carrier must submit to the *department* ~~agency~~ within 10 days after receipt of the petition all documentation substantiating the carrier's disallowance or adjustment. Failure of the carrier to timely submit the requested documentation to the *department* ~~agency~~ within 10 days constitutes a waiver of all objections to the petition.

(c) Within 60 days after receipt of all documentation, the *department* ~~agency~~ must provide to the petitioner, the carrier, and the affected parties a written determination of whether the carrier properly adjusted or disallowed payment. The *department* ~~agency~~ must be guided by standards and policies set forth in this chapter, including all applicable reimbursement schedules, practice parameters, and protocols of treatment, in rendering its determination.

(d) If the *department* ~~agency~~ finds an improper disallowance or improper adjustment of payment by an insurer, the insurer shall reimburse the health care provider, facility, insurer, or employer within 30 days, subject to the penalties provided in this subsection.

(e) The *department* ~~agency~~ shall adopt rules to carry out this subsection. The rules may include provisions for consolidating petitions filed by a petitioner and expanding the timetable for rendering a determination upon a consolidated petition.

(f) Any carrier that engages in a pattern or practice of arbitrarily or unreasonably disallowing or reducing payments to health care providers may be subject to one or more of the following penalties imposed by the *department* ~~agency~~:

1. Repayment of the appropriate amount to the health care provider.

2. An administrative fine assessed by the *department* ~~agency~~ in an amount not to exceed $5,000 per instance of improperly disallowing or reducing payments.

3. Award of the health care provider's costs, including a reasonable attorney's fee, for prosecuting the petition.

(8) PATTERN OR PRACTICE OF OVERUTILIZATION.—

(a) Carriers must report to the *department* ~~agency~~ all instances of overutilization including, but not limited to, all instances in which the carrier disallows or adjusts payment or a determination has been made that the provided or recommended treatment is in excess of the practice parameters and protocols of treatment established in this chapter. The *department* ~~agency~~ shall determine whether a pattern or practice of overutilization exists.

(b) If the *department* ~~agency~~ determines that a health care provider has engaged in a pattern or practice of overutilization or a violation of this chapter or rules adopted by the *department* ~~agency~~, including a pattern or practice of providing treatment in excess of the practice parameters or protocols of treatment, it may impose one or more of the following penalties:

1. An order of the *department* ~~agency~~ barring the provider from payment under this chapter;

2. Deauthorization of care under review;

3. Denial of payment for care rendered in the future;

4. Decertification of a health care provider certified as an expert medical advisor under subsection (9) or of a rehabilitation provider certified under s. 440.49;

5. An administrative fine assessed by the *department* ~~agency~~ in an amount not to exceed $5,000 per instance of overutilization or violation; and

6. Notification of and review by the appropriate licensing authority pursuant to s. 440.106(3).

(9) EXPERT MEDICAL ADVISORS.—

(a) The *department* ~~agency~~ shall certify expert medical advisors in each specialty to assist the *department* ~~agency~~ and the judges of compensation claims within the advisor's area of expertise as provided in this section. The *department* ~~agency~~ shall, in a manner prescribed by rule, in certifying, recertifying, or decertifying an expert medical advisor, consider the qualifications, training, impartiality, and commitment of the health care provider to the provision of quality medical care at a reasonable cost. As a prerequisite for certification or recertification, the *department* ~~agency~~ shall require, at a minimum, that an expert medical advisor have specialized workers' compensation training or experience under the workers' compensation system of this state and board certification or board eligibility.

(b) The *department* ~~agency~~ shall contract with one or more entities that employ, contract with, or otherwise secure expert medical advisors to provide peer review or expert medical consultation, opinions, and testimony to the *department* ~~agency~~ or to a judge of compensation claims in connection with resolving disputes relating to reimbursement, differing opinions of health care providers, and health care and physician services rendered under this chapter, including utilization issues. The *department* ~~agency~~ shall by rule establish the qualifications of expert medical advisors, including training and experience in the workers' compensation system in the state and the expert medical advisor's knowledge of and commitment to the standards of care, practice parameters, and protocols established pursuant to this chapter. Expert medical advisors contracting with the *department* ~~agency~~ shall, as a term of such contract, agree to provide consultation or services in accordance with the timetables set forth in this chapter and to abide by rules adopted by the *department* ~~agency~~, including, but not limited to, rules pertaining to procedures for review of the services rendered by health care providers and preparation of reports and testimony or recommendations for submission to the *department* ~~agency~~ or the judge of compensation claims.

(c) If there is disagreement in the opinions of the health care providers, if two health care providers disagree on medical evidence supporting the employee's complaints or the need for additional medical treatment, or if two health care providers disagree that the employee is able to return to work, the *department* ~~agency~~ may, and the judge of compensation claims shall, upon his or her own motion or within 15 days after receipt of a written request by either the injured employee, the employer, or the carrier, order the injured employee to be evaluated by an expert medical advisor. The opinion of the expert medical advisor is presumed to be correct unless there is clear and convincing evidence to the contrary as determined by the judge of compensation claims. The expert medical advisor appointed to conduct the evaluation shall have free and complete access to the medical records of the employee. An employee who fails to report to and cooperate with such evaluation forfeits entitlement to compensation during the period of failure to report or cooperate.

(d) The expert medical advisor must complete his or her evaluation and issue his or her report to the *department* ~~agency~~ or to the judge of compensation claims within 15 days after receipt of all medical records. The expert medical advisor must furnish a copy of the report to the carrier and to the employee.

(e) An expert medical advisor is not liable under any theory of recovery for evaluations performed under this section without a showing of fraud or malice. The protections of s. 766.101 apply to any officer, employee, or agent of the *department* ~~agency~~ and to any officer, employee, or agent of any entity with which the *department* ~~agency~~ has contracted under this subsection.

(f) If the *department* ~~agency~~ or a judge of compensation claims orders the services of a certified expert medical advisor to resolve a dispute under this section, the party requesting such examination must compensate the advisor for his or her time in accordance with a schedule adopted by the *department* ~~agency~~. If the employee prevails in a dispute as determined in an order by a judge of compensation claims based upon the expert medical advisor's findings, the employer or carrier shall pay for the costs of such expert medical advisor. If a judge of compensation claims, upon his or her motion, finds that an expert medical advisor is needed to resolve the dispute, the carrier must compensate the advisor for his or her time in accordance with a schedule adopted by the *department* ~~agency~~. The *department* ~~agency~~ may assess a penalty not to exceed $500 against any carrier that fails to timely compensate an advisor in accordance with this section.

(11) AUDITS.—

(a) The *department* ~~Agency for Health Care Administration~~ may investigate health care providers to determine whether providers are complying with this chapter and with rules adopted by the *department* ~~agency~~, whether the providers are engaging in overutilization, whether providers are engaging in improper billing practices, and whether providers are adhering to practice parameters and protocols established in accordance with this chapter. If the *department* ~~agency~~ finds that a health care provider has improperly billed, overutilized, or failed to comply with *department* ~~agency~~ rules or the requirements of this chapter, including, but not limited to, practice parameters and protocols established in accordance with this chapter, it must notify the provider of its findings and may determine that the health care provider may not receive payment from the carrier or may impose penalties as set forth in subsection (8) or other sections of this chapter. If the health care provider has received payment from a carrier for services that were improperly billed, that constitute overutilization, or that were outside practice parameters or protocols established in accordance with this chapter, it must return those payments to the carrier. The *department* ~~agency~~ may assess a penalty not to exceed $500 for each overpayment that is not refunded within 30 days after notification of overpayment by the *department* ~~agency~~ or carrier.

(b) The department shall monitor carriers as provided in this chapter and the Office of Insurance Regulation shall audit insurers and group self-insurance funds as provided in s. 624.3161, to determine if medical bills are paid in accordance with this section and rules of the department and Financial Services Commission, respectively. Any employer, if self-insured, or carrier found by the department or Office of Insurance Regulation not to be within 90 percent compliance as to the payment of medical bills after July 1, 1994, must be assessed a fine not to exceed 1 percent of the prior year's assessment levied against such entity under s. 440.51 for every quarter in which the entity fails to attain 90-percent compliance. The department shall fine or otherwise discipline an employer or carrier, pursuant to this chapter or rules adopted by the department, and the Office of Insurance Regulation shall fine or otherwise discipline an insurer or group self-insurance fund pursuant to the insurance code or rules adopted by the Financial Services Commission, for each late payment of compensation that is below the minimum

95-percent performance standard. Any carrier that is found to be not in compliance in subsequent consecutive quarters must implement a medical-bill review program approved by the department or office, and an insurer or group self-insurance fund is subject to disciplinary action by the Office of Insurance Regulation.

(c) The *department* ~~agency~~ has exclusive jurisdiction to decide any matters concerning reimbursement, to resolve any overutilization dispute under subsection (7), and to decide any question concerning overutilization under subsection (8), which question or dispute arises after January 1, 1994.

(d) The following *department* ~~agency~~ actions do not constitute agency action subject to review under ss. 120.569 and 120.57 and do not constitute actions subject to s. 120.56: referral by the entity responsible for utilization review; a decision by the *department* ~~agency~~ to refer a matter to a peer review committee; establishment by a health care provider or entity of procedures by which a peer review committee reviews the rendering of health care services; and the review proceedings, report, and recommendation of the peer review committee.

(12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM REIMBURSEMENT ALLOWANCES.—

(a) A three-member panel is created, consisting of the Chief Financial Officer, or the Chief Financial Officer's designee, and two members to be appointed by the Governor, subject to confirmation by the Senate, one member who, on account of present or previous vocation, employment, or affiliation, shall be classified as a representative of employers, the other member who, on account of previous vocation, employment, or affiliation, shall be classified as a representative of employees. The panel shall determine statewide schedules of maximum reimbursement allowances for medically necessary treatment, care, and attendance provided by physicians, hospitals, ambulatory surgical centers, work-hardening programs, pain programs, and durable medical equipment. The maximum reimbursement allowances for inpatient hospital care shall be based on a schedule of per diem rates, to be approved by the three-member panel no later than March 1, 1994, to be used in conjunction with a precertification manual as determined by the department, including maximum hours in which an outpatient may remain in observation status, which shall not exceed 23 hours. All compensable charges for hospital outpatient care shall be reimbursed at 75 percent of usual and customary charges, except as otherwise provided by this subsection. Annually, the three-member panel shall adopt schedules of maximum reimbursement allowances for physicians, hospital inpatient care, hospital outpatient care, ambulatory surgical centers, work-hardening programs, and pain programs. An individual physician, hospital, ambulatory surgical center, pain program, or work-hardening program shall be reimbursed either the agreed-upon contract price or the maximum reimbursement allowance in the appropriate schedule.

(b) It is the intent of the Legislature to increase the schedule of maximum reimbursement allowances for selected physicians effective January 1, 2004, and to pay for the increases through reductions in payments to hospitals. Revisions developed pursuant to this subsection are limited to the following:

1. Payments for outpatient physical, occupational, and speech therapy provided by hospitals shall be reduced to the schedule of maximum reimbursement allowances for these services which applies to nonhospital providers.

2. Payments for scheduled outpatient nonemergency radiological and clinical laboratory services that are not provided in conjunction with a surgical procedure shall be reduced to the schedule of maximum reimbursement allowances for these services which applies to nonhospital providers.

3. Outpatient reimbursement for scheduled surgeries shall be reduced from 75 percent of charges to 60 percent of charges.

4. Maximum reimbursement for a physician licensed under chapter 458 or chapter 459 shall be increased to 110 percent of the reimbursement allowed by Medicare, using appropriate codes and modifiers or the medical reimbursement level adopted by the three-member panel as of January 1, 2003, whichever is greater.

5. Maximum reimbursement for surgical procedures shall be increased to 140 percent of the reimbursement allowed by Medicare or the medical reimbursement level adopted by the three-member panel as of January 1, 2003, whichever is greater.

(c) As to reimbursement for a prescription medication, the reimbursement amount for a prescription shall be the average wholesale price plus $4.18 for the dispensing fee, except where the carrier has contracted for a lower amount. 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.

(d) Reimbursement for all fees and other charges for such treatment, care, and attendance, including treatment, care, and attendance provided by any hospital or other health care provider, ambulatory surgical center, work-hardening program, or pain program, must not exceed the amounts provided by the uniform schedule of maximum reimbursement allowances as determined by the panel or as otherwise provided in this section. This subsection also applies to independent medical examinations performed by health care providers under this chapter. In determining the uniform schedule, the panel shall first approve the data which it finds representative of prevailing charges in the state for similar treatment, care, and attendance of injured persons. Each health care provider, health care facility, ambulatory surgical center, work-hardening program, or pain program receiving workers' compensation payments shall maintain records verifying their usual charges. In establishing the uniform schedule of maximum reimbursement allowances, the panel must consider:

1. The levels of reimbursement for similar treatment, care, and attendance made by other health care programs or third-party providers;

2. The impact upon cost to employers for providing a level of reimbursement for treatment, care, and attendance which will ensure the availability of treatment, care, and attendance required by injured workers;

3. The financial impact of the reimbursement allowances upon health care providers and health care facilities, including trauma centers as defined in s. 395.4001, and its effect upon their ability to make available to injured workers such medically necessary remedial treatment, care, and attendance. The uniform schedule of maximum reimbursement allowances must be reasonable, must promote health care cost containment and efficiency with respect to the workers' compensation health care delivery system, and must be sufficient to ensure availability of such medically necessary remedial treatment, care, and attendance to injured workers; and

4. The most recent average maximum allowable rate of increase for hospitals determined by the Health Care Board under chapter 408.

(e) In addition to establishing the uniform schedule of maximum reimbursement allowances, the panel shall:

1. Take testimony, receive records, and collect data to evaluate the adequacy of the workers' compensation fee schedule, nationally recognized fee schedules and alternative methods of reimbursement to certified health care providers and health care facilities for inpatient and outpatient treatment and care.

2. Survey certified health care providers and health care facilities to determine the availability and accessibility of workers' compensation health care delivery systems for injured workers.

3. Survey carriers to determine the estimated impact on carrier costs and workers' compensation premium rates by implementing changes to the carrier reimbursement schedule or implementing alternative reimbursement methods.

4. Submit recommendations on or before January 1, 2003, and biennially thereafter, to the President of the Senate and the Speaker of the House of Representatives on methods to improve the workers' compensation health care delivery system.

The ~~agency and the~~ department, as requested, shall provide data to the panel, including, but not limited to, utilization trends in the workers' compensation health care delivery system. The *department* ~~agency~~ shall

provide the panel with an annual report regarding the resolution of medical reimbursement disputes and any actions pursuant to s. 440.13(8). The department shall provide administrative support and service to the panel to the extent requested by the panel.

(13) REMOVAL OF PHYSICIANS FROM LISTS OF THOSE AUTHORIZED TO RENDER MEDICAL CARE.—The *department* ~~agency~~ shall remove from the list of physicians or facilities authorized to provide remedial treatment, care, and attendance under this chapter the name of any physician or facility found after reasonable investigation to have:

(a) Engaged in professional or other misconduct or incompetency in connection with medical services rendered under this chapter;

(b) Exceeded the limits of his or her or its professional competence in rendering medical care under this chapter, or to have made materially false statements regarding his or her or its qualifications in his or her application;

(c) Failed to transmit copies of medical reports to the employer or carrier, or failed to submit full and truthful medical reports of all his or her or its findings to the employer or carrier as required under this chapter;

(d) Solicited, or employed another to solicit for himself or herself or itself or for another, professional treatment, examination, or care of an injured employee in connection with any claim under this chapter;

(e) Refused to appear before, or to answer upon request of, the *department* ~~agency~~ or any duly authorized officer of the state, any legal question, or to produce any relevant book or paper concerning his or her conduct under any authorization granted to him or her under this chapter;

(f) Self-referred in violation of this chapter or other laws of this state; or

(g) Engaged in a pattern of practice of overutilization or a violation of this chapter or rules adopted by the *department* ~~agency~~, including failure to adhere to practice parameters and protocols established in accordance with this chapter.

Section 65. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to workers' compensation medical services and supplies; providing for a type two transfer of responsibilities with respect to the provision of workers' compensation medical services and supplies from the Agency for Health Care Administration to the Department of Financial Services; amending s. 440.13, F.S.; revising terminology, to conform; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5045** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	

Nays—2

Garcia	Villalobos

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5047, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5047

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5047, same being:

An act relating to the **Department of Business and Professional Regulation**; amending s. 455.32, F.S.; revising the procedures authorizing the department to contract with a nonprofit corporation to provide administrative, examination, licensing, investigative, and prosecutorial services to a regulatory board; providing for a recommendation for such authorization in the department's budget request; requiring specific authorization by general law before privatization may proceed; amending s. 481.205, F.S., relating to the Board of Architecture and Interior Design; revising the requirements for the board's annual budget request; requiring that the board submit an annual report to the Executive Office of the Governor and the Legislature concerning activities relating to unlicensed activity; prescribing requirements for the contents of the report; amending s. 509.032, F.S., relating to the Division of Hotels and Restaurants; deleting a provision requiring that the division provide certain assistance to the State Fire Marshal; deleting a provision requiring that the division provide technical assistance to the Florida Building Commission when updating the construction standards of the Florida Fire Prevention Code; deleting a provision requiring that the division enforce certain provisions of the Florida Fire Prevention Code; revising certain reporting requirements of the division; amending s. 718.501, F.S., relating to the Division of Florida Land Sales, Condominiums, and Mobile Homes; requiring that the division report annually to the Governor and the Legislature on activities involving training programs for condominium association board members and unit owners, the investigation of complaints, and its core business processes.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin

s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (676113)(with title amendment)—Remove everything after the enacting clause and insert:

Section 66. Subsection (4) and paragraphs (d) and (p) of subsection (6) of section 455.32, Florida Statutes, are amended to read:

455.32 Management Privatization Act.—

(4) Based upon the request of any board, the department is authorized to establish and contract with a nonprofit corporation to provide administrative, examination, licensing, investigative, and prosecutorial services to that board, in accordance with the provisions of this chapter and the applicable practice act and as specified in a contract between the department and the corporation. The privatization request must contain a business case that includes a needs assessment and financial feasibility study performed by the board or an entity commissioned by a majority vote of the board. The needs assessment must contain specific performance standards and measurable outcomes and an evaluation of the department's current and projected performance in regard to those standards. The feasibility study must include the financial status of the board for the current fiscal year and the next 2 fiscal years. A financial model for the corporation must also be developed which includes projected costs and expenses for the first 2 years of operation and specific performance standards and measurable outcomes. The business case *for privatization shall be submitted by the board to the department for inclusion in its legislative budget request to the Executive Office of the Governor and the Legislature pursuant to s. 216.023* ~~must be approved by the Executive Office of the Governor and the Legislative Budget Commission prior to the establishment of the nonprofit corporation~~. *The board shall proceed with the privatization only if such privatization is specifically authorized by general law.*

(6) Each corporation created to perform the functions provided in this section shall:

(d) Be approved by the department to operate for the benefit of the board and in the best interest of the state *and specifically authorized by the Legislature*.

(p) Meet or exceed the requirements of the business case developed by the board and approved by the Executive Office of the Governor ~~and the Legislative Budget Commission~~ .

Section 67. Subsection (3) of section 481.205, Florida Statutes, is amended to read:

481.205 Board of Architecture and Interior Design.—

(3)(a) Notwithstanding the provisions of ss. 455.225, 455.228, and 455.32, the duties and authority of the department to receive complaints and investigate and discipline persons licensed under this part, including the ability to determine legal sufficiency and probable cause; to initiate proceedings and issue final orders for summary suspension or restriction of a license pursuant to s. 120.60(6); to issue notices of noncompliance, notices to cease and desist, subpoenas, and citations; to retain legal counsel, investigators, or prosecutorial staff in connection with the licensed practice of architecture and interior design; and to investigate and deter the unlicensed practice of architecture and interior design as provided in s. 455.228 are delegated to the board. All complaints and any information obtained pursuant to an investigation authorized by the board are confidential and exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

(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.

(c) The corporation or business entity shall comply with all the recordkeeping and reporting requirements of s. 455.32 applicable to the scope of the contract and shall report directly to the board in lieu of the department. Records of the corporation or other business entity contracting with the board shall be considered public records as specified in s. 455.32(15).

(d) Notwithstanding the provisions of s. 455.228, the board may use funds in the unlicensed activity account established under s. 455.2281 to perform its duties relating to unlicensed activity under this subsection.

(e) The board shall submit an annual budget request to the *department by October 1 of each year* ~~Legislature~~ for the purpose of funding its activities under this subsection. *The department, on behalf of the board, shall submit the budget request unchanged to the Executive Office of the Governor and*~~, which must be separate from the legislative budget request submitted by the department to~~ the Legislature pursuant to s. 216.023.

(f) The board shall issue an annual report on the activities under this subsection by October 1 of each year. The annual report shall be submitted to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees. The report shall describe all of the activities performed under this subsection for the previous fiscal year and shall include, but need not be limited to, the following:

1. The number of complaints received.

2. The number of complaints determined to be legally sufficient.

3. The number of complaints determined to be legally insufficient.

4. The number of complaints dismissed.

5. The number of complaints filed in circuit court.

6. The number of complaints determined to have probable cause.

7. The number of administrative complaints issued and the status of the complaints.

8. The number and nature of disciplinary actions taken by the board.

9. The number and the amount of fines and penalties imposed.

10. The number and the amount of fines and penalties collected.

11. Total revenues received and all expenses incurred by the contractor during the previous fiscal year.

12. Total completed investigations.

13. Total pending investigations.

14. A summary of any audits performed, including financial reports and performance audits of the contractor.

Section 68. Paragraph (d) of subsection (2) and subsection (5) of section 509.032, Florida Statutes, are amended to read:

509.032 Duties.—

(2) INSPECTION OF PREMISES.—

(d) The division shall adopt and enforce sanitation rules consistent with law to ensure the protection of the public from food-borne illness in those establishments licensed under this chapter. These rules shall provide the standards and requirements for obtaining, storing, preparing, processing, serving, or displaying food in public food service establishments, approving public food service establishment facility plans, conducting necessary public food service establishment inspections for compliance with sanitation regulations, cooperating and coordinating with the Department of Health in epidemiological investigations, and initiating enforcement actions, and for other such responsibilities deemed necessary by the division. The division may not establish by rule any regulation governing the design, construction, erection, alteration, modification, repair, or demolition of any public lodging or public food service establishment. It is the intent of the Legislature to preempt that function to the Florida Building Commission and the State Fire Marshal through adoption and maintenance of the Florida Building Code and the Florida Fire Prevention Code. The division shall provide technical assistance to the commission ~~and the State Fire Marshal~~ in updating the construction standards of the Florida Building Code ~~and the Florida Fire Prevention Code~~ which govern public lodging and public food service establishments. Further, the division shall enforce the provisions of the Florida Building Code ~~and the Florida Fire Prevention Code~~ which apply to public lodging and public food service establishments in conducting any inspections authorized by this part.

(5) REPORTS REQUIRED.—The division shall *submit annually to* ~~send~~ the Governor*, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees* a ~~written~~ report, which shall state, but *need* not be limited to, *the total number of active public lodging and public food service licenses in the state,* the total number of inspections *of these establishments* conducted by the division to ensure the enforcement of sanitary standards, the total number of inspections conducted in response to emergency or epidemiological conditions, the number of violations of each sanitary standard, *the total number of inspections conducted to meet the statutorily required number of inspections,* and any recommendations for improved inspection procedures. The division shall also keep accurate account of all expenses arising out of the performance of its duties and all fees collected under this chapter. The report shall be submitted by September 30 following the end of the fiscal year.

Section 69. Paragraph (n) is added to subsection (1) of section 718.501, Florida Statutes, to read:

718.501 Powers and duties of Division of Florida Land Sales, Condominiums, and Mobile Homes.—

(1) The Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation, referred to as the "division" in this part, in addition to other powers and duties prescribed by chapter 498, has the power to enforce and ensure compliance with the provisions of this chapter and rules promulgated pursuant hereto relating to the development, construction, sale, lease, ownership, operation, and management of residential condominium units. In performing its duties, the division has the following powers and duties:

(n) The division shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees an annual report that includes, but need not be limited to, the number of training programs provided for condominium association board members and unit owners, the number of complaints received by type, the number and percent of complaints acknowledged in writing within 30 days and the number and percent of investigations acted upon within 90 days in accordance with paragraph (m), and the number of investigations exceeding the 90-day requirement. The annual report shall also include an evaluation of the division's core business processes and make recommendations for improvements, including statutory changes. The report shall be submitted by September 30 following the end of the fiscal year.

Section 70. This act shall take effect July 1, 2008.

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 Business and Professional Regulation; amending s. 455.32, F.S.; revising the procedures authorizing the department to contract with a nonprofit corporation to provide administrative, examination, licensing, investigative, and prosecutorial services to a regulatory board; providing for a recommendation for such authorization in the department's budget request; requiring specific authorization by general law before privatization may proceed; amending s. 481.205, F.S., relating to the Board of Architecture and Interior Design; revising the requirements for the board's annual budget request; requiring that the board submit an annual report to the Executive Office of the Governor and the Legislature concerning activities relating to unlicensed activity; prescribing requirements for the contents of the report; amending s. 509.032, F.S., relating to the Division of Hotels and Restaurants; deleting a provision requiring that the division provide certain assistance to the State Fire Marshal; deleting a provision requiring that the division provide technical assistance to the Florida Building Commission when updating the construction standards of the Florida Fire Prevention Code; deleting a provision requiring that the division enforce certain provisions of the Florida Fire Prevention Code; revising certain reporting requirements of the division; amending s. 718.501, F.S., relating to the Division of Florida Land Sales, Condominiums, and Mobile Homes; requiring that the division report annually to the Governor and the Legislature on activities involving training programs for condominium association board members and unit owners, the investigation of complaints, and its core business processes; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5047** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Aronberg	Dockery	Lynn
Atwater	Fasano	Margolis
Baker	Gaetz	Oelrich
Bennett	Garcia	Peaden
Bullard	Geller	Posey
Carlton	Haridopolos	Rich
Constantine	Hill	Ring
Crist	Jones	Saunders
Dawson	Joyner	Siplin
Dean	Justice	Storms

Villalobos Wilson Wise
Webster

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5049, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5049

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5049, same being:

An act relating to **Mortgage Broker's Licenses**; revising requirements for mortgage broker license tests; revising fee requirements; requiring applicants to bear certain costs; providing limitations.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (332537)(with title amendment)—Remove everything after the enacting clause and insert

Section 71. Paragraphs (b) and (c) of subsection (2) of section 494.0033, Florida Statutes, are amended to read:

494.0033 Mortgage broker's license.—

(2) Each initial application for a mortgage broker's license must be in the form prescribed by rule of the commission. The commission may require each applicant to provide any information reasonably necessary to make a determination of the applicant's eligibility for licensure. The office shall issue an initial license to any natural person who:

(b) Has passed a written test adopted and administered by the office, or has passed an electronic test adopted and administered by the office or a third party approved by the office, which is designed to determine competency in primary and subordinate mortgage financing transactions as well as to test knowledge of ss. 494.001-494.0077 and the rules adopted pursuant thereto. *The office shall make available an electronic version of the mortgage broker test no later than December 31, 2008. Applicants shall bear the actual cost for the electronic version of the mortgage broker test; however, the applicant's cost of the test may not exceed $75.* ~~The commission may prescribe by rule an additional fee that may not exceed $100 for the electronic version of the mortgage broker test.~~ The commission may waive by rule the examination requirement for any person who has passed a test approved by the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators, or the United States Department of Housing and Urban Development if the test covers primary and subordinate mortgage financing transactions. ~~The commission may adopt rules prescribing an additional fee that may not exceed $50 for an applicant to review his or her completed and graded mortgage broker test.~~ The commission may adopt rules regarding the administration of the testing process, including, but not limited to, procedures relating to pretest registration, test security, scoring, content, result notification, retest procedures and fees, postexamination review, and challenge provisions. *Any applicant who wishes to review his or her completed and graded mortgage broker test*

shall bear only the actual cost of the review; however, the applicant's cost of the review may not exceed $35.

(c) Has submitted a completed application and a nonrefundable application fee of *$195* ~~$200~~. An application is considered received for purposes of s. 120.60 upon receipt of a completed application form as prescribed by commission rule, a nonrefundable application fee of *$195* ~~$200~~, and any other fee prescribed by law.

The commission may require by rule information concerning any such applicant or person, including, but not limited to, his or her full name and any other names by which he or she may have been known, age, social security number, qualifications and educational and business history, and disciplinary and criminal history.

Section 72. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to mortgage broker's licenses; amending s. 494.0033, F.S.; revising requirements for mortgage broker license tests; revising fee requirements; requiring applicants to bear certain costs; providing limitations; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5049** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5051, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5051

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5051, same being:

An act relating to the **Department of Business and Professional Regulation**; revising the amount of the permit fee charged for pugilistic exhibition events.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman

s/Will W. Weatherford Trudi K. Williams
s/Juan C. Zapata, At Large

Managers on the part of the House

Conference Committee Amendment (229817)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 548.035, Florida Statutes, is amended to read:

548.035 Permit fees.—

~~(1)~~ The commission shall set permit fees *for professional matches at $1,800 per event.* ~~based on seating capacity of the premises where the program is to be presented as follows:~~

~~(a) If the seating capacity is less than 2,000 persons, the fee shall not exceed $50.~~

~~(b) If the seating capacity is 2,000 persons or more but does not exceed 5,000 persons, the fee shall not exceed $100.~~

~~(c) If the seating capacity exceeds 5,000 persons, the fee shall not exceed $250.~~

~~(2) For mixed martial arts matches, the commission shall require a minimum fee of $5,000 per event.~~ For purposes of this section, an "event" is one or more matches comprising a show.

Section 2. This act shall take effect July 1, 2008.

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 Business and Professional Regulation; amending s. 548.035, F.S.; revising the amount of the permit fee charged for pugilistic exhibition events; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5051** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5057, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5057

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
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 5057, same being:

An act relating to **Insurance Capital Build-Up Incentive Program**; revising legislative findings; providing for an appropriation of state funds in exchange for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; requiring insurers to commit to maintaining certain levels of surplus and reinsurance; authorizing the State Board of Administration to charge a fee for late payments; providing for payment of costs and fees incurred by the board in administering the program from funds appropriated to the program, subject to a specified limit; requiring the board to submit an annual report to the Legislature on the program and insurer compliance with certain requirements; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer certain funds to the General Revenue Fund if the combined surplus of certain accounts exceeds $1 billion; requiring the corporation to make certain reasonable estimates of such surplus funds; requiring the board to make quarterly transfers of funds to the corporation under certain circumstances; requiring the corporation to credit certain accounts for funds removed to make certain transfers; prohibiting Citizens Property Insurance Corporation from using certain statutory changes or authorized transfers of funds as justification or cause to seek any rate or assessment increase.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll

Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (296355)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 215.5595, Florida Statutes, is amended to read:

215.5595 Insurance Capital Build-Up Incentive Program.—

(1) Upon entering the *2008* ~~2006~~ hurricane season, the Legislature finds that:

(a) The losses in *this state* ~~Florida~~ from eight hurricanes in 2004 and 2005 have seriously strained the resources of both the voluntary insurance market and the public sector mechanisms of Citizens Property Insurance Corporation and the Florida Hurricane Catastrophe Fund.

~~(b) Private reinsurance is much less available and at a significantly greater cost to residential property insurers as compared to 1 year ago, particularly for amounts below the insurer's retention or retained losses that must be paid before reimbursement is provided by the Florida Hurricane Catastrophe Fund.~~

~~(c) The Office of Insurance Regulation has reported that the insolvency of certain insurers may be imminent.~~

~~(d) Hurricane forecast experts predict that the 2006 hurricane season will be an active hurricane season and that the Atlantic and Gulf Coast regions face an active hurricane cycle of 10 to 20 years or longer.~~

(b)~~(e)~~ *Citizens Property Insurance Corporation has over 1.2 million policies in force and has the largest market share of any insurer writing residential property insurance in this state, and faces the threat of a catastrophic loss that* ~~The number of cancellations or nonrenewals of residential property insurance policies is expected to increase and the number of new residential policies written in the voluntary market are likely to decrease, causing increased policy growth and exposure to the state insurer of last resort, Citizens Property Insurance Corporation, and threatening to increase the deficit of the corporation, currently estimated to be over $1.7 billion. This deficit~~ must be funded by assessments against insurers and policyholders, unless otherwise funded by the state. *The program has a substantial positive effect on the depopulation efforts of Citizens Property Insurance Corporation since companies participating in the program have removed over 199,000 policies from the corporation. Companies participating in the program have issued a significant number of new policies, thereby keeping an estimated 480,000 new policies out of the corporation.*

(c)~~(f)~~ Policyholders are subject to *high* ~~increased~~ premiums and assessments that are increasingly making such coverage unaffordable and that may force policyholders to sell their homes and even leave the state.

(d)~~(g)~~ The increased risk to the public sector and private sector *continues to pose* ~~poses~~ a serious threat to the economy of this state, particularly the building and financing of residential structures, and existing mortgages may be placed in default.

~~(h) The losses from 2004 and 2005, combined with the expectation that the increase in hurricane activity will continue for the foreseeable future, have caused both insurers and reinsurers to limit the capital they are willing to commit to covering the hurricane risk in Florida; attracting new capital to the Florida market is a critical priority; and providing a low-cost source of capital would enable insurers to write additional residential property insurance coverage and act to mitigate premium increases.~~

(e)~~(i)~~ Appropriating state funds to be *exchanged for* ~~used as~~ surplus notes *issued by* ~~for~~ residential property insurers, under conditions requiring the insurer to contribute additional private sector capital and to write a minimum level of premiums for residential hurricane coverage, is a valid and important public purpose.

(f) Extending the program will provide an incentive for investors to commit additional capital to the residential insurance market in this state.

(2) The purpose of this section is to provide *funds in exchange for* surplus notes to *be issued by* new or existing authorized residential property insurers under the Insurance Capital Build-Up Incentive Program administered by the State Board of Administration, under the following conditions:

(a) The amount of *state funds provided in exchange for a* ~~the~~ surplus note *to* ~~for~~ any insurer ~~or insurer group~~, other than an insurer writing only manufactured housing policies, may not exceed $25 million or 20 percent of the total amount of funds *appropriated for* ~~available under~~ the program, whichever is greater. The amount of the surplus note for any insurer or insurer group writing residential property insurance covering only manufactured housing may not exceed $7 million.

(b) The insurer must contribute an amount of new capital to its surplus which is at least equal to the amount of the surplus note and must apply to the board by *September 1, 2008* ~~July 1, 2006~~. If an insurer applies after *September 1, 2008* ~~July 1, 2006~~, but before June 1, *2009* ~~2007~~, the amount of the surplus note is limited to one-half of the new capital that the insurer contributes to its surplus, except that an insurer writing only manufactured housing policies is eligible to receive a surplus note of up to $7 million. For purposes of this section, new capital must be in the form of cash or cash equivalents as specified in s. 625.012(1).

(c) The insurer's surplus, new capital, and the surplus note must total at least $50 million, except for insurers writing residential property insurance covering only manufactured housing. The insurer's surplus, new capital, and the surplus note must total at least $14 million for insurers writing only residential property insurance covering manufactured housing policies as provided in paragraph (a).

(d) The insurer must commit to *increase its writings of residential property insurance, including the peril of wind, and to meet* ~~meeting~~ a minimum writing ratio of net written premium to surplus of at least *1:1 for the first calendar year after receiving the state funds or renegotiation of the surplus note, 1.5:1 for the second calendar year, and* 2:1 for the *remaining* term of the surplus note . *Alternatively, the insurer must meet a minimum writing ratio of gross written premium to surplus of at least*

3:1 for the first calendar year after receiving the state funds or renegotiation of the surplus note, 4.5:1 for the second calendar year, and 6:1 for the remaining term of the surplus note. The writing ratios~~, which~~ shall be determined by the Office of Insurance Regulation and certified quarterly to the board. For this purpose, the term "~~net written~~ premium" means ~~net written~~ premium for residential property insurance in *this state* ~~Florida~~, including the peril of wind, and "surplus" *means the new capital and surplus note* ~~refers to the entire surplus~~ of the insurer. *An insurer who makes an initial application after July 1, 2008, must also commit to writing at least 15 percent of its net or gross written premium for new policies, not including renewal premiums, for policies taken out of Citizens Property Insurance Corporation, during each of the first 3 years after receiving the state funds in exchange for the surplus note, which shall be determined by the Office of Insurance Regulation and certified annually to the board. The office may determine that an insurer meets the requirement for taking policies out of the corporation, by written notice to the board, upon a finding that the insurer made offers of coverage to policyholders of the corporation which would have resulted in meeting this requirement had the policyholders accepted the offer. The insurer must also commit to maintaining a level of surplus and reinsurance sufficient to cover in excess of its 1-in-100 years probable maximum loss, as determined by a hurricane loss model accepted by the Florida Commission on Hurricane Loss Projection Methodology, which shall be determined by the Office of Insurance Regulation and certified annually to the board. If the board determines that the insurer has failed to meet any of the requirements of this paragraph* ~~If the required ratio is not maintained~~ during the term of the surplus note, the board may increase the interest rate, accelerate the repayment of interest and principal, or shorten the term of the surplus note, subject to approval by the Commissioner of Insurance of payments by the insurer of principal and interest as provided in paragraph (f).

(e) If the requirements of this section are met, the board may approve an application by an insurer for *funds in exchange for issuance of* a surplus note, unless the board determines that the financial condition of the insurer and its business plan for writing residential property insurance in Florida places an unreasonably high level of financial risk to the state of nonpayment in full of the interest and principal. The board shall consult with the Office of Insurance Regulation and may contract with independent financial and insurance consultants in making this determination.

(f) The surplus note must be repayable to the state with a term of 20 years. The surplus note shall accrue interest on the unpaid principal balance at a rate equivalent to the 10-year U.S. Treasury Bond rate, require the payment only of interest during the first 3 years, and include such other terms as approved by the board. *The board may charge late fees up to 5 percent for late payments or other late remittances.* Payment of principal*,* ~~or~~ interest*, or late fees* by the insurer on the surplus note must be approved by the Commissioner of Insurance, who shall approve such payment unless the commissioner determines that such payment will substantially impair the financial condition of the insurer. If such a determination is made, the commissioner shall approve such payment that will not substantially impair the financial condition of the insurer.

(g) The total amount of funds available for the program is limited to the amount appropriated by the Legislature for this purpose. If the amount of surplus notes requested by insurers exceeds the amount of funds available, the board may prioritize insurers that are eligible and approved, with priority for funding given to insurers writing only manufactured housing policies, regardless of the date of application, based on the financial strength of the insurer, the viability of its proposed business plan for writing additional residential property insurance in the state, and the effect on competition in the residential property insurance market. Between insurers writing residential property insurance covering manufactured housing, priority shall be given to the insurer writing the highest percentage of its policies covering manufactured housing.

~~(h) The board may allocate portions of the funds available for the program and establish dates for insurers to apply for surplus notes from such allocation which are earlier than the dates established in paragraph (b).~~

(h)~~(i)~~ Notwithstanding paragraph (d), a newly formed manufactured housing insurer that is eligible for a surplus note under this section shall meet the premium to surplus ratio provisions of s. 624.4095.

(i)~~(j)~~ As used in this section, " an insurer writing only manufactured housing policies" includes:

1. A Florida domiciled insurer that begins writing personal lines residential manufactured housing policies in Florida after March 1, 2007, and that removes a minimum of 50,000 policies from Citizens Property Insurance Corporation without accepting a bonus, provided at least 25 percent of its policies cover manufactured housing. Such an insurer may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after March 1, 2007, as new capital under this section.

2. A Florida domiciled insurer that writes at least 40 percent of its policies covering manufactured housing in Florida.

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

(a) "Board" means the State Board of Administration.

(b) "Program" means the Insurance Capital Build-Up Incentive Program established by this section.

(4) *The state funds provided to the insurer in exchange for the* ~~A~~ surplus note provided to an insurer pursuant to this section *are* ~~is~~ considered *borrowed surplus* ~~an asset~~ of the insurer pursuant to s. *628.401* ~~625.012~~.

(5) If an insurer that receives *funds in exchange for the issuance of* a surplus note pursuant to this section is rendered insolvent, the state is a class 3 creditor pursuant to s. 631.271 for the unpaid principal and interest on the surplus note.

(6) The board shall adopt rules prescribing the procedures, administration, and criteria for approving the *applications of insurers to receive funds in exchange for* issuance of surplus notes pursuant to this section, which may be adopted pursuant to the procedures for emergency rules of chapter 120. Otherwise, actions and determinations by the board pursuant to this section are exempt from chapter 120.

(7) The board shall invest and reinvest the funds appropriated for the program in accordance with s. 215.47 and consistent with board policy.

(8) Costs and fees incurred by the board in administering this program, including fees for investment services, shall be paid from funds appropriated by the Legislature for this program, but are limited to 1 percent of the amount appropriated.

(9) The board shall submit a report to the President of the Senate and the Speaker of the House of Representatives by February 1 of each year as to the results of the program and each insurer's compliance with the terms of its surplus note.

(10) The amendments to this section enacted in 2008 do not affect the terms or conditions of surplus notes that were approved prior to January 1, 2008. However, the board may renegotiate the terms of any surplus note issued by an insurer prior to January 2008 under this program, upon the agreement of the insurer and the board, consistent with the requirements of this section as amended in 2008.

(11) By December 15, 2008, Citizens Property Insurance Corporation shall transfer $250 million to the General Revenue Fund if the combined surplus of each account as defined in s. 627.351(6) exceeds $1 billion. The board of governors of the corporation shall make a reasonable estimate of such surplus on or after December 1, 2008, and no later than December 14, 2008, using generally accepted actuarial and accounting practices, recognizing that audited financial statements will not yet be available.

(12) Beginning July 1, 2009, the board shall make quarterly transfers of any interest earned prior to the issuance of any surplus notes, interest paid, and principal repaid to the state for any surplus notes issued by the program after December 1, 2008, to Citizens Property Insurance Corporation, provided such surplus notes were funded exclusively by an appropriation to the program by the Legislature for the 2008-2009 fiscal year. The corporation shall credit each account as defined in s. 627.351(6) in a pro rata manner for the funds removed from each account to make the transfer required by subsection (11).

Section 2. *Citizens Property Insurance Corporation may not use any amendments made to s. 215.5595, Florida Statutes, by this act or any transfer of funds authorized by this act as justification or cause in seeking any rate or assessment increase.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Insurance Capital Build-Up Incentive Program; amending s. 215.5595, F.S.; revising legislative findings; providing for an appropriation of state funds in exchange for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; requiring insurers to commit to maintaining certain levels of surplus and reinsurance; authorizing the State Board of Administration to charge a fee for late payments; providing for payment of costs and fees incurred by the board in administering the program from funds appropriated to the program, subject to a specified limit; requiring the board to submit an annual report to the Legislature on the program and insurer compliance with certain requirements; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer certain funds to the General Revenue Fund if the combined surplus of certain accounts exceeds $1 billion; requiring the corporation to make certain reasonable estimates of such surplus funds; requiring the board to make quarterly transfers of funds to the corporation under certain circumstances; requiring the corporation to credit certain accounts for funds removed to make certain transfers; prohibiting Citizens Property Insurance Corporation from using certain statutory changes or authorized transfers of funds as justification or cause to seek any rate or assessment increase; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **CS for HB 5057** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5059, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5059

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5059, same being:

An act relating to the **Disposition of Traffic Infractions**; requiring that revenue from the surcharge imposed for certain criminal traffic offenses and all noncriminal traffic violations be remitted to the Department of Revenue, deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services, and be used for certain purposes; authorizing the Department of Management Services to retain funds from such revenue to recover certain costs and expenses.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
Daniel Webster, At Large
s/Stephen R. Wise

Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell

s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (512669)(with title amendment)—Remove everything after the enacting clause and insert:

Section 4. 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. 282.1095*, 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. 282.111*. This subsection expires July 1, 2012. The Department of Management Services may retain funds sufficient to recover the costs and expenses incurred for the purposes of 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 5. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the disposition of traffic infractions; amending s. 318.18, F.S.; requiring that revenue from the surcharge imposed for certain criminal traffic offenses and all noncriminal traffic violations be remitted to the Department of Revenue, deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services, and be used for certain purposes; authorizing the Department of Management Services to retain funds from such revenue to recover certain costs and expenses; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5059** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Constantine	Gaetz
Alexander	Crist	Garcia
Aronberg	Dawson	Geller
Atwater	Dean	Haridopolos
Baker	Deutch	Hill
Bennett	Diaz de la Portilla	Jones
Bullard	Dockery	Joyner
Carlton	Fasano	Justice
King	Posey	Villalobos
Lawson	Rich	Webster
Lynn	Ring	Wilson
Margolis	Saunders	Wise
Oelrich	Siplin	
Peaden	Storms	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5061, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5061

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5061, same being:

An act relating to **Revenue Administration**; authorizing payment of salaries and benefits for certain employees associated with certain schools; specifying requirements of the department and property appraisers for payment of expenses of furnishing photographs and maps; authorizing the department to incur certain expenses and charge fees equal to such expenses; providing for deposit of such fees into the Certification Program Trust Fund; providing for separate accounts in the fund for certain purposes; providing for department use of such funds for certain expenses; authorizing property appraisers to pay a fee established by the department for aerial photographs and certain maps provided by the department.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Sandra "Sandy" Adams
s/Thad Altman

s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff, At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen, At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (799199)(with title amendment)—Remove everything after the enacting clause and insert:

Section 6. Subsection (2) of section 195.002, Florida Statutes, is amended to read:

195.002 Supervision by Department of Revenue.—

(2) In furtherance of its duty to conduct schools to upgrade assessment skills and collection skills, the department may establish by rule committees on admissions and certification. Additionally, the department may incur reasonable expenses for hiring instructors, travel, office operations, certificates of completion, badges or awards, ~~and~~ food service incidental to conducting such schools*, salaries and benefits of department employees whose duties are directly associated with developing and conducting such schools,* and ~~for~~ administering any certification program under s. 145.10 or s. 145.11. The department may charge a tuition fee and an examination fee to any person who attends such a school and may charge a fee to certify or recertify any person under such a program. The department shall deposit such fees into the Certification Program Trust Fund which is created in the State Treasury. There shall be separate school accounts and program accounts in the trust fund for property appraisers and for tax collectors. The department shall use money in the fund to pay such expenses.

Section 7. Section 195.022, Florida Statutes, is amended to read:

195.022 Forms to be prescribed by Department of Revenue.—The Department of Revenue shall prescribe all forms to be used by property appraisers, tax collectors, clerks of the circuit court, and value adjustment boards in administering and collecting ad valorem taxes. The department shall prescribe a form for each purpose. For counties with a population of 100,000 or fewer, the Department of Revenue shall furnish the forms. For counties with a population greater than 100,000, the county officer shall reproduce forms for distribution at the expense of his or her office. A county officer may use a form other than the form prescribed by the department upon obtaining written permission from the executive director of the department; however, no county officer shall use a form the substantive content of which is at variance with the form prescribed by the department for the same or a similar purpose. If the executive director finds good cause to grant such permission he or she may do so. The county officer may continue to use such approved form until the law which specifies the form is amended or repealed or until the officer receives written disapproval from the executive director. Otherwise, all such officers and their employees shall use the forms, and follow the instructions applicable to the forms, which are prescribed by the department. The department, upon request of any property appraiser or, in any event, at least once every 3 years, shall prescribe and furnish such aerial photographs and nonproperty ownership maps to the property appraisers as are necessary to ensure that all real property within the state is properly listed on the roll. *All photographs and maps furnished to counties with a population of 25,000 or fewer shall be paid for by the department as provided by law. For counties with a population greater than 25,000, the department shall furnish such items at the property appraiser's expense. The department may incur reasonable expenses for procuring aerial photographs and nonproperty ownership maps and may charge a fee to the respective property appraiser equal to the cost incurred. The department shall deposit such fees into the Certification Program Trust Fund, created pursuant to s. 195.002. There shall be a separate account in the trust fund for the aid and assistance activity of providing aerial photographs and nonproperty ownership maps to property appraisers. The department shall use money in the fund to pay such expenses.* All forms ~~and maps~~ furnished by the department shall be paid for by the department as provided by law. All forms and maps and instructions relating to their use shall be substantially uniform throughout the state. An officer may employ supplemental forms and maps, at the expense of his or her office, which he or she deems expedient for the purpose of administering and collecting ad valorem taxes. The forms required in ss. 193.461(3)(a) and 196.011(1) for renewal purposes shall require sufficient information for the property appraiser to evaluate the changes in use since the prior year. If the property appraiser determines, in the case of a taxpayer, that he or she has insufficient current information upon which to approve the exemption, or if the information on the renewal form is inadequate for him or her to evaluate the taxable status of the property, he or she may require the resubmission of an original application.

Section 8. Subsection (4) of section 195.087, Florida Statutes, is amended to read:

195.087 Property appraisers and tax collectors to submit budgets to Department of Revenue.—

(4) The property appraisers and tax collectors of this state are hereby authorized to pay any fee established by the department for attendance by an employee at a school established and conducted by the department pursuant to s. 195.002. Further, the travel and per diem expenses of such employee may be paid as set forth in s. 112.061. *Property appraisers are authorized to pay a fee established by the department for the costs of aerial photographs and nonproperty ownership maps provided by the department pursuant to s. 195.022.*

Section 9. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to revenue administration; amending s. 195.002, F.S.; authorizing payment of salaries and benefits for certain employees associated with certain schools; amending s. 195.022, F.S.; specifying requirements of the department and property appraisers for payment of expenses of furnishing photographs and maps; authorizing the department to incur certain expenses and charge fees equal to such expenses; providing for deposit of such fees into the Certification Program Trust Fund; providing for separate accounts in the fund for certain purposes; providing for department use of such funds for certain expenses; amending s. 195.087,

F.S.; authorizing property appraisers to pay a fee established by the department for aerial photographs and certain maps provided by the department; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5061** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5063, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5063

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5063, same being:

An act relating to **Retirement**; revising the definition of the term "statement value"; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; revising requirements relating to the actuarial study of the system; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the operation retirement program of the State University System rather than the Florida Retirement System; providing definitions; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the "participant's gross monthly compensation: for purposes of the optional retirement program for the State University System; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount or service credit under certain conditions; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July, 1008, and July 1, 2009; providing a declaration of improtant state interest.

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/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
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Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

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Keith Fitzgerald
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Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
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s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
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s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
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Yolly Roberson
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Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson

s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (011303)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (7) of section 112.625, Florida Statutes, is amended to read:

112.625 Definitions.—As used in this act:

(7) "Statement value" means the value of assets in accordance with s. 302(c)(2) of the Employee Retirement Income Security Act of 1974 and as permitted under regulations prescribed by the Secretary of the Treasury *as amended by Pub. L. No. 100-203, as such sections are in effect on August 16, 2006*. Assets for which a fair market value is not provided shall be excluded from the assets used in the determination of annual funding cost.

Section 2. Paragraph (b) of subsection (22) of section 121.021, Florida Statutes, is amended to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(22) "Compensation" means the monthly salary paid a member by his or her employer for work performed arising from that employment.

(b) Under no circumstances shall compensation *for a member participating in the defined benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System* include:

1. Fees paid professional persons for special or particular services or include salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for eligible clinical faculty at a *college in a* state university *that has* ~~with~~ a faculty practice plan; or

2. Any bonuses or other payments prohibited from inclusion in the member's average final compensation and defined in subsection (47).

Section 3. Paragraph (a) of subsection (3) of section 121.031, Florida Statutes, is amended to read:

121.031 Administration of system; appropriation; oaths; actuarial studies; public records.—

(3) The administrator shall cause an actuarial study of the system to be made at least annually and shall report the results of such study to the Legislature by December 31 prior to the next legislative session. The study shall, at a minimum, conform to the requirements of s. 112.63, with the following exceptions and additions:

(a) The valuation of plan assets shall be based on a 5-year averaging methodology such as that specified in the United States Department of Treasury Regulations, 26 C.F.R. s. 1.412(c)(2)-1 *in effect on August 16, 2006*, or a similar accepted approach designed to attenuate fluctuations in asset values.

Section 4. Paragraph (a) of subsection (1) of section 121.051, Florida Statutes, is amended to read:

121.051 Participation in the system.—

(1) COMPULSORY PARTICIPATION.—

(a) The provisions of this law shall be compulsory as to all officers and employees, except elected officers who meet the requirements of s. 121.052(3), who are employed on or after December 1, 1970, of an employer other than those referred to in paragraph (2)(b), and each officer or employee, as a condition of employment, shall become a member of the system as of his or her date of employment, except that a person who is retired from any state retirement system and is reemployed on or after December 1, 1970, *may* ~~shall~~ not ~~be permitted to~~ renew his or her membership in any state retirement system except as provided in s. 121.091(4)(h) for a person who recovers from disability, and as provided in s. 121.091(9)(b)8. for a person who is elected to public office, and, effective July 1, 1991, as provided in s. 121.122 for all other retirees. Officers and employees of the University Athletic Association, Inc., a nonprofit association connected with the University of Florida, employed on and after July 1, 1979, shall not participate in any state-supported retirement system.

1. Any person appointed on or after July 1, 1989, to a faculty position in a college at the J. Hillis Miller Health Center at the University of Florida or the Medical Center at the University of South Florida which has a faculty practice plan provided by rule adopted by the Board of Regents *may* ~~shall~~ not participate in the Florida Retirement System. *Effective July 1, 2008, any person appointed thereafter to a faculty position, including clinical faculty, in a college at a state university that has a faculty practice plan authorized by the Board of Governors may not participate in the Florida Retirement System.* A faculty member so appointed shall participate in the optional retirement program *for the State University System* ~~on the basis of his or her state-funded compensation,~~ notwithstanding the provisions of s. 121.35(2)(a).

2. For purposes of this subparagraph, the term "faculty position" is defined as a position assigned the principal responsibility of teaching, research, or public service activities or administrative responsibility directly related to the academic mission of the college. The term "clinical faculty" is defined as a faculty position appointment in conjunction with a professional position in a hospital or other clinical environment at a college. The term "faculty practice plan" includes professional services to patients, institutions, or other parties which are rendered by the clinical faculty employed by a college that has a faculty practice plan at a state university authorized by the Board of Governors.

Section 5. Paragraph (a) of subsection (4) of section 121.35, Florida Statutes, is amended, and paragraph (g) is added to that subsection, to read:

121.35 Optional retirement program for the State University System.—

(4) CONTRIBUTIONS.—

(a) Through June 30, 2001, each employer shall contribute on behalf of each participant in the optional retirement program an amount equal to the normal cost portion of the employer retirement contribution which would be required if the participant were a regular member of the Florida Retirement System defined benefit program, plus the portion of the contribution rate required in s. 112.363(8) that would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund. Effective July 1, 2001, each employer shall contribute on behalf of each participant in the optional program an amount equal to 10.43 percent of the participant's gross monthly compensation. The department shall deduct an amount approved by the Legislature to provide for the administration of this program. The payment of the contributions to the optional program which is required by this paragraph for each participant shall be made by the employer to the department, which shall forward the contributions to the designated company or companies contracting for payment of benefits for the participant under the program. However, such contributions paid on behalf of an employee described in paragraph (3)(c) shall not be forwarded to a company and shall not begin to accrue interest until the employee has executed *a* ~~an annuity~~ contract and notified the department.

(g) Effective July 1, 2008, for purposes of paragraph (a) and notwithstanding s. 121.021(22)(b)1., the term "participant's gross monthly compensation" includes salary payments made to eligible clinical faculty from a state university using funds provided by a faculty practice plan authorized by the Board of Governors of the State University System if:

1. There is not any employer contribution from the state university to any other retirement program with respect to such salary payments; and

2. The employer contribution on behalf of the participant in the optional retirement program with respect to such salary payments is made using funds provided by the faculty practice plan.

Section 6. Section 121.355, Florida Statutes, is created to read:

121.355 Community College Optional Retirement Program and State University System Optional Retirement Program member transfer.—Ef-

fective January 1, 2009, through December 31, 2009, an employee who is a former participant in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participant in the Florida Retirement System defined benefit plan may receive service credit equal to his or her years of service under the Community College Optional Retirement Program or the State University System Optional Retirement Program under the following conditions:

(1) The cost for such credit shall be an amount representing the actuarial accrued liability for the affected period of service. The cost shall be calculated using the discount rate and other relevant actuarial assumptions that were used to value the Florida Retirement System defined benefit plan liabilities in the most recent actuarial valuation. The calculation shall include any service already maintained under the defined benefit plan in addition to the years under the Community College Optional Retirement Program or the State University System Optional Retirement Program. The actuarial accrued liability of any service already maintained under the defined benefit plan shall be applied as a credit to total cost resulting from the calculation. The division shall ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary.

(2) The employee must transfer from his or her Community College Optional Retirement Program account or State University System Optional Retirement Program account, subject to the terms of the applicable optional retirement program contract, and from other employee moneys as necessary, a sum representing the actuarial accrued liability immediately following the time of such movement, determined assuming that attained service equals the sum of service in the defined benefit program and service in the Community College Optional Retirement Program or State University System Optional Retirement Program.

(3) The employee may not receive service credit for a period of mandatory participation in the State University Optional Retirement Program or for a period for which a distribution was received from the Community College Optional Retirement Program or State University System Optional Retirement Program.

Section 7. Subsection (3) of section 121.71, Florida Statutes, is amended 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, *2008* ~~2007~~	Percentage of Gross Compensation, Effective July 1, *2009* ~~2008~~
Regular Class	8.69%	*9.60%* ~~9.59%~~
Special Risk Class	19.76%	*22.03%* ~~22.01%~~
Special Risk Administrative Support Class	11.39%	*11.98%* ~~11.90%~~
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	13.32%	*14.56%* ~~14.99%~~
Elected Officers' Class— Justices, Judges	18.40%	*20.37%* ~~20.46%~~
Elected Officers' Class— County Elected Officers	15.37%	*17.06%* ~~17.15%~~
Senior Management Class	11.96%	*13.36%* ~~13.35%~~
DROP	9.80%	*10.96%* ~~10.89%~~

Section 8. *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 Section 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 9. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to retirement; amending s. 112.625, F.S.; revising the definition of the term "statement value"; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.031, F.S.; revising requirements relating to the actuarial study of the system; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; 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, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5063** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5067, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5067

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5067, same being:

An act relating to **State Infrastructure**; removing the DUI Programs Coordination Trust Fund from the list of funds invested by the Chief Financial Officer; reenacting and amending s. 20.24, F.S., relating to the establishment of the Department of Highway Safety and Motor Vehicles pursuant to the provisions of the Florida Government Accountability Act; removing a provision for the Bureau of Motor Vehicle Inspection; removing the DUI Programs Coordination Trust Fund from the list of funds subject to a specified service charge; revising provisions for a surcharge on certain insurance policies; removing a provision directing the proceeds of the surcharge be deposited into the Emergency Management, Preparedness, and Assistance Trust Fund; revising provisions for certain procurement procedures developed by the Department of Community Affairs for eligible local governments under the Florida Small Cities Community Development Block Grant Program; providing that such procurement procedures may not exceed specified federal requirements; conforming a cross-reference to changes made by the act; revising the amount of a penalty for failure to pay specified penalties for certain traffic infractions; providing for distribution of the increased amount collected; defining the term "certificate of title"; authorizing the issuance of electronic motor vehicle titles in lieu of paper motor vehicle titles; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; removing a requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; providing for distribution of certain moneys collected relating to registration of motor vehicles and mobile homes; revises uses of certain motorcycle and moped license tax fees; providing for disposition of certain specialty license plate processing fees; amending s. 320.203, F.S., relating to disposition of biennial license tax moneys; conforming provisions to changes made by the act; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; defining the term "convenience service" for purposes of transactions with the department; revising the definition of the term "conviction" to provide for application to offenses committed by a person holding a commercial driver's license; revising the definition of the terms "hazardous materials" and "out-of-service order"; revising provisions for funding of certain driver improvement programs; eliminating requirements for motorcycle safety education course reimbursements; removing provisions for issuance of a license valid in Florida only; prohibiting a person from holding more than one driver's license; authorizing use of such licenses until next renewal; revising requirements for application for issuance or renewal of an identification card; revising provisions providing for the expiration of an identification card issued by the department; revising requirements for application for a driver's license; removing a provision requiring the application form to include language permitting a voluntary contribution for the Election Campaign Financing Trust Fund; revising provisions for content of a driver's license; requiring the license to contain the licensee's residence address; removing a requirement that the license contain the licensee's mailing address; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; revising provisions providing for the expiration and renewal of driver's licenses; providing for the renewal of certain licenses every 8 years; conforming cross-references; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; repealing s. 322.181, F.S., relating to a study of effects of aging on driving ability; eliminating the Florida At-Risk Driver Council; revising provisions for a licensee changing address; removing a provision for the licensee to request a change-of-address sticker; conforming cross-references; increasing the service fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; revising provisions for distribution and use of the funds received; authorizing the department to waive the hearing process for a person whose license has been suspended, cancelled, or revoked; providing exceptions; requiring that DUI programs be administered by the department and paid for by revenues collected by such programs; providing that such revenues be deposited into the Highway Safety Operating Trust Fund; authorizing the use of electronic mail for distribution of vessel titles; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; authorizing the department to accept certain applications by electronic or telephonic means; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; revising duties of the Department of Transportation; revising certain roadside beautification provisions; providing contract bid requirements for fuel and food on the turnpike system; providing for use of transportation revenues; providing for revised funding levels for Department of Transportation projects; conforming cross-references to changes made by the act; authorizing the Building Code Commission to utilize communications media technology to conduct meetings; conforming a cross-reference.

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/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
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s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (790847)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (3) of section 17.61, Florida Statutes, is amended to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(3)

(c) Except as provided in this paragraph and except for moneys described in paragraph (d), the following agencies shall not invest trust fund moneys as provided in this section, but shall retain such moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund, pursuant to s. 17.57:

1. The Agency for Health Care Administration, except for the Tobacco Settlement Trust Fund.

2. The Agency for Persons with Disabilities, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

3. The Department of Children and Family Services, except for:

a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

b. The Refugee Assistance Trust Fund.

c. The Social Services Block Grant Trust Fund.

d. The Tobacco Settlement Trust Fund.

e. The Working Capital Trust Fund.

4. The Department of Community Affairs, only for the Operating Trust Fund.

5. The Department of Corrections.

6. The Department of Elderly Affairs, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

7. The Department of Health, except for:

a. The Federal Grants Trust Fund.

b. The Grants and Donations Trust Fund.

c. The Maternal and Child Health Block Grant Trust Fund.

d. The Tobacco Settlement Trust Fund.

8. The Department of Highway Safety and Motor Vehicles, only for~~:~~

~~a. The DUI Programs Coordination Trust Fund.~~

~~b.~~ the Security Deposits Trust Fund.

9. The Department of Juvenile Justice.

10. The Department of Law Enforcement.

11. The Department of Legal Affairs.

12. The Department of State, only for:

a. The Grants and Donations Trust Fund.

b. The Records Management Trust Fund.

13. The Executive Office of the Governor, only for:

a. The Economic Development Transportation Trust Fund.

b. The Economic Development Trust Fund.

14. The Florida Public Service Commission, only for the Florida Public Service Regulatory Trust Fund.

15. The Justice Administrative Commission.

16. The state courts system.

Section 2. Section 20.24, Florida Statutes, is reenacted and amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles is the Governor and Cabinet.

(2) The following divisions, and bureaus within the divisions, of the Department of Highway Safety and Motor Vehicles are established:

(a) Division of the Florida Highway Patrol.

(b) Division of Driver Licenses.

(c) Division of Motor Vehicles.

~~1. Bureau of Motor Vehicle Inspection.~~

Section 3. Paragraphs (m) through (x) of subsection (4) of section 215.20, Florida Statutes, as amended by section 3 of chapter 2007-14, Laws of Florida, are

215.20 Certain income and certain trust funds to contribute to the General Revenue Fund.—

(4) The income of a revenue nature deposited in the following described trust funds, by whatever name designated, is that from which the appropriations authorized by subsection (3) shall be made:

~~(m) Within the Department of Highway Safety and Motor Vehicles, the DUI Programs Coordination Trust Fund.~~

(m)~~(n)~~ Within the Department of Legal Affairs, the Crimes Compensation Trust Fund.

(n)~~(o)~~ Within the Department of Management Services:

1. The Administrative Trust Fund.

2. The Architects Incidental Trust Fund.

3. The Bureau of Aircraft Trust Fund.

4. The Florida Facilities Pool Working Capital Trust Fund.

5. The Grants and Donations Trust Fund.

6. The Police and Firefighters' Premium Tax Trust Fund.

7. The Public Employees Relations Commission Trust Fund.

8. The State Personnel System Trust Fund.

9. The Supervision Trust Fund.

10. The Working Capital Trust Fund.

(o)~~(p)~~ Within the Department of Revenue:

1. The Additional Court Cost Clearing Trust Fund.

2. The Administrative Trust Fund.

3. The Certification Program Trust Fund.

4. The Fuel Tax Collection Trust Fund.

5. The Local Alternative Fuel User Fee Clearing Trust Fund.

6. The Local Option Fuel Tax Trust Fund.

7. The Motor Vehicle Rental Surcharge Clearing Trust Fund.

8. The Motor Vehicle Warranty Trust Fund.

9. The Oil and Gas Tax Trust Fund.

10. The Operations Trust Fund.

11. The Severance Tax Solid Mineral Trust Fund.

12. The State Alternative Fuel User Fee Clearing Trust Fund.

13. All taxes levied on motor fuels other than gasoline levied pursuant to ~~the provisions of~~ s. 206.87(1)(a).

(p)~~(q)~~ Within the Department of State:

1. The Records Management Trust Fund.

2. The trust funds administered by the Division of Historical Resources.

(q)~~(r)~~ Within the Department of Transportation, all income derived from outdoor advertising and overweight violations which is deposited in the State Transportation Trust Fund.

(r)~~(s)~~ Within the Department of Veterans' Affairs:

1. The Grants and Donations Trust Fund.

2. The Operations and Maintenance Trust Fund.

3. The State Homes for Veterans Trust Fund.

(s)~~(t)~~ Within the Division of Administrative Hearings, the Administrative Trust Fund.

(t)~~(u)~~ Within the Fish and Wildlife Conservation Commission:

1. The Conservation and Recreation Lands Program Trust Fund.

2. The Florida Panther Research and Management Trust Fund.

3. The Land Acquisition Trust Fund.

4. The Marine Resources Conservation Trust Fund, with the exception of those fees collected for recreational saltwater fishing licenses as provided in s. 372.57.

(u)~~(v)~~ Within the Florida Public Service Commission, the Florida Public Service Regulatory Trust Fund.

(v)~~(w)~~ Within the Justice Administrative Commission, the Indigent Criminal Defense Trust Fund.

(w)~~(x)~~ Within the Office of Financial Regulation of the Financial Services Commission:

1. The Administrative Trust Fund.

2. The Anti-Fraud Trust Fund.

3. The Financial Institutions' Regulatory Trust Fund.

4. The Regulatory Trust Fund.

The enumeration of the foregoing moneys or trust funds shall not prohibit the applicability thereto of s. 215.24 should the Governor determine that for the reasons mentioned in s. 215.24 the money or trust funds should be exempt herefrom, as it is the purpose of this law to exempt income from its force and effect when, by the operation of this law, federal matching funds or contributions or private grants to any trust fund would be lost to the state.

Section 4. Section 252.372, Florida Statutes, is amended to read:

252.372 Imposition and collection of surcharge.—In order to provide funds for emergency management, preparedness, and assistance, an annual surcharge of $2 per policy shall be imposed on every homeowner's, mobile home owner's, tenant homeowner's, and condominium unit owner's policy, and an annual $4 surcharge shall be imposed on every commercial fire, commercial multiple peril, and business owner's property insurance policy, issued or renewed on or after May 1, 1993. The surcharge shall be paid by the policyholder to the insurer. The insurer shall collect the surcharge and remit it to the Department of Revenue, which shall collect, administer, audit, and enforce the surcharge pursuant to s. 624.5092. The surcharge is not to be considered premiums of the insurer; however, nonpayment of the surcharge by the insured may be a valid reason for cancellation of the policy. For those policies in which the surplus lines tax and the service fee are collected and remitted to the Surplus Lines Service Office, as created under s. 626.921, the surcharge must be remitted to the service office at the same time as the surplus lines tax is remitted. All penalties for failure to remit the surplus lines tax and service fee are applicable for those surcharges required to be remitted to the service office. The service office shall deposit all surcharges that it collects into the Emergency Management, Preparedness, and Assistance Trust Fund at least monthly. ~~All proceeds of the surcharge shall be deposited in the Emergency Management, Preparedness, and Assistance Trust Fund and may not be used to supplant existing funding.~~

Section 5. Subsection (4) of section 290.047, Florida Statutes, is amended to read:

290.047 Establishment of grant ceilings and maximum administrative cost percentages; elimination of population bias; loans in default.—

(4) The department shall develop by rule grant administration procurement procedures for eligible local governments. *The procedures established in such rule shall not exceed the restrictions or requirements contained in 24 C.F.R. part 85.* ~~These procedures shall include, but not be limited to, the evaluation of an individual or business entity based upon past performance in the administration of community development block grants and based upon the type, number, and geographic distribution of grants to be administered.~~

Section 6. Subsection (2) of section 316.251, Florida Statutes, is amended to read:

316.251 Maximum bumper heights.—

(2) "New motor vehicles" as defined in s. 319.001*(9)*~~(8)~~, "antique automobiles" as defined in s. 320.08, "horseless carriages" as defined in s. 320.086, and "street rods" as defined in s. 320.0863 shall be excluded from the requirements of this section.

Section 7. Paragraph (a) of subsection (8) 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:

(8)(a) Any person who fails to comply with the court's requirements or who fails to pay the civil penalties specified in this section within the

30-day period provided for in s. 318.14 must pay an additional civil penalty of *$16* ~~$12~~, $2.50 of which must be remitted to the Department of Revenue for deposit in the General Revenue Fund, and *$13.50* ~~$9.50~~ of which must be remitted to the Department of Revenue for deposit in the Highway Safety Operating Trust Fund. The department shall contract with the Florida Association of Court Clerks, Inc., to design, establish, operate, upgrade, and maintain an automated statewide Uniform Traffic Citation Accounting System to be operated by the clerks of the court which shall include, but not be limited to, the accounting for traffic infractions by type, a record of the disposition of the citations, and an accounting system for the fines assessed and the subsequent fine amounts paid to the clerks of the court. On or before December 1, 2001, the clerks of the court must provide the information required by this chapter to be transmitted to the department by electronic transmission pursuant to the contract.

Section 8. Subsections (1) through (11) of section 319.001, Florida Statutes, are renumbered as subsections (2) through (12), respectively, and a new subsection (1) is added to that section to read:

319.001 Definitions.—As used in this chapter, the term:

(1) "Certificate of title" means the record that is evidence of ownership of a vehicle, whether a paper certificate authorized by the department or a certificate consisting of information that is stored in an electronic form in the department's database.

Section 9. Section 319.40, Florida Statutes, is amended to read:

319.40 Transactions by electronic or telephonic means.—

(1) The department is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may issue an electronic certificate of title in lieu of printing a paper title.

(3) The department may collect and use e-mail addresses of motor vehicle owners and registrants as a notification method in lieu of the United States Postal Service.

Section 10. Effective July 1, 2008, subsection (1) of section 320.02, Florida Statutes, as amended by section 28 of chapter 2006-290, Laws of Florida, is amended to read:

320.02 Registration required; application for registration; forms.—

(1) Except as otherwise provided in this chapter, every owner or person in charge of a motor vehicle that is operated or driven on the roads of this state shall register the vehicle in this state. The owner or person in charge shall apply to the department or to its authorized agent for registration of each such vehicle on a form prescribed by the department. ~~Prior to the original registration of a motorcycle, motor-driven cycle, or moped, the owner, if a natural person, must present proof that he or she has a valid motorcycle endorsement as required in chapter 322.~~ A registration is not required for any motor vehicle that is not operated on the roads of this state during the registration period.

Section 11. Paragraph (b) of subsection (3) of section 320.06, Florida Statutes, is amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(3)

(b) An additional fee of 50 cents shall be collected *and deposited into the Highway Safety Operating Trust Fund* on each motor vehicle registration or motor vehicle renewal registration issued in this state in order that all license plates and validation stickers be fully treated with retroreflective material.

Section 12. Effective upon this act becoming a law, paragraph (c) of subsection (1) of section 320.08, Florida Statutes is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2), and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES and MOPEDS.—

(c) Upon registration of any motorcycle, motor-driven cycle, or moped there shall be paid in addition to the license taxes specified in this subsection a nonrefundable motorcycle safety education fee in the amount of $2.50. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund ~~and be used exclusively~~ to fund a motorcycle driver improvement program implemented pursuant to s. 322.025 or the Florida Motorcycle Safety Education Program established in s. 322.0255 *or the general operations of the department*.

Section 13. Subsection (2) of section 320.0805, Florida Statutes, is amended to read:

320.0805 Personalized prestige license plates.—

(2) Each request for specific numbers or letters or combinations thereof shall be submitted annually to the department on an application form supplied by the department, accompanied by the following tax and fees:

(a) The license tax required for the vehicle, as set forth in s. 320.08.~~;~~

(b) A prestige plate annual use fee of $10.~~; and~~

(c) A processing fee of $2*, to be deposited into the Highway Safety Operating Trust Fund*.

Section 14. Paragraph (b) of subsection (3) of section 320.08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.—

(3) Each request must be made annually to the department, accompanied by the following tax and fees:

(b) A processing fee of $2*, to be deposited into the Highway Safety Operating Trust Fund*.

A request may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, the specialty license plate must be issued with appropriate decals attached at no tax for the plate, but all fees and service charges must be paid. When a request is made for a specialty license plate at the beginning of the registration period, the tax, together with all applicable fees and service charges, must be paid.

Section 15. Subsection (1) of section 320.203, Florida Statutes, is amended to read:

320.203 Disposition of biennial license tax moneys.—

(1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76 and pursuant to s. 216.351, after the provisions of s. 320.20(1), (2), (3), ~~and~~ (4)*, and (5)* are fulfilled, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be retained in the Motor Vehicle License Clearing Trust Fund, authorized in s. 215.32(2)(b)2.f., until July 1. After July 1 of the subsequent fiscal year, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be distributed according to ss. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11), 320.08058, 328.76, and 320.20(1), (2), (3), ~~and~~ (4)*, and (5)*.

Section 16. Section 320.95, Florida Statutes, is amended to read:

320.95 Transactions by electronic or telephonic means.—

(1) The department is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may collect and use e-mail addresses of motor vehicle owners and registrants as a notification method in lieu of the United States Postal Service.

Section 17. Subsections (10) through (44) of section 322.01, Florida Statutes, are renumbered as subsections (11) through (45), respectively,

present subsections (10), (23), and (29) are amended, and a new subsection (10) is added to that section, to read:

322.01 Definitions.—As used in this chapter:

(10) "Convenience service" means any means whereby an individual conducts a transaction with the department other than in person.

(11)~~(10)~~(a) "Conviction" means a conviction of an offense relating to the operation of motor vehicles on highways which is a violation of this chapter or any other such law of this state or any other state, including an admission or determination of a noncriminal traffic infraction pursuant to s. 318.14, or a judicial disposition of an offense committed under any federal law substantially conforming to the aforesaid state statutory provisions.

(b) Notwithstanding any other provisions of this chapter, the definition of "conviction" provided in 49 C.F.R. part 383.5 applies to offenses committed in a commercial motor vehicle *or by a person holding a commercial driver's license* .

(24)~~(23)~~ "Hazardous materials" *means any material that has been designated as hazardous under 49 U.S.C. s. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73* ~~has the meaning such term has under s. 103 of the Hazardous Materials Transportation Act~~.

(30)~~(29)~~ "Out-of-service order" means a prohibition issued by an authorized local, state, or Federal Government official which precludes a person from driving a commercial motor vehicle ~~for a period of 72 hours or less~~.

Section 18. Subsection (1) of section 322.025, Florida Statutes, is amended to read:

322.025 Driver improvement.—

(1) The department may implement programs to improve the driving ability of the drivers of this state. Such programs may include, but shall not be limited to, safety awareness campaigns, driver training, and licensing improvement. Motorcycle driver improvement programs implemented pursuant to this section or s. 322.0255 *may* ~~shall~~ be funded by the motorcycle safety education fee collected pursuant to s. 320.08(1)(c), which shall be deposited in the Highway Safety Operating Trust Fund ~~of the department and appropriated for that purpose~~.

Section 19. Effective upon this act becoming a law, subsections (5), (6), (7), and (8) of section 322.0255, Florida Statutes, are amended to read:

322.0255 Florida Motorcycle Safety Education Program.—

~~(5) The department shall, subject to the availability of funds, reimburse each organization that provides an approved motorcycle safety education course for each student who begins the on-cycle portion of the course. This shall include any student not required to attend a motorcycle safety education course prior to licensure as required in s. 322.12. The amount to be reimbursed per student to each course provider shall be determined by the department. In order to facilitate such determination, each course provider shall be required to submit proof satisfactory to the department of the expected cost per student to be incurred by such course provider. In no event shall the amount to be reimbursed per student to any course provider exceed the expected cost per student. In addition to the amount of any reimbursement, each course provider that conducts such a course may charge each student a tuition fee sufficient to defray the cost of conducting the course. The department shall fund the payments required under this subsection from the motorcycle safety education fee, as provided in ss. 320.08 and 322.025.~~

(5)~~(6)~~ Each organization that provides an approved motorcycle safety course may charge a registration fee, not to exceed $20 per student. This fee must be refunded if the student completes the course. However, any student who registers for, and does not complete, the course must forfeit his or her registration fee. Forfeited fees may be retained by the organization that conducts the course.

(6)~~(7)~~ The department may adopt rules to implement this section.

(7)~~(8)~~ On and after January 1, 1989, every first-time applicant for licensure to operate a motorcycle who is under 21 years of age shall be required to complete a motorcycle education course as established pursuant to this section. Proof of completion of such education course shall be presented to the driver license examining office prior to such licensure to operate a motorcycle.

Section 20. Effective October 1, 2008, subsection (1) of section 322.03, Florida Statutes, is 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 under the provisions of this chapter.

(a) A person who drives a commercial motor vehicle shall 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 or who makes a false affidavit concerning such licenses is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) ~~A person who does not drive a commercial motor vehicle is not required to surrender a license issued by another jurisdiction, upon a showing to the department that such license is necessary because of employment or part-time residence. Any person who retains a driver's license because of employment or part-time residence shall, upon qualifying for a license in this state, be issued a driver's license which shall be valid within this state only.~~ 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 ~~Florida~~ driver's license at any time.

(c) Part-time residents issued a license that is valid within this state only pursuant to paragraph (b) as that paragraph existed prior to October 1, 2008, may continue to hold such license until the next regularly scheduled renewal. Licenses that are identified as "Valid in Florida only" may not be issued or renewed effective July 1, 2009. This paragraph expires June 30, 2017.

Section 21. Effective October 1, 2008, subsections (1), (2), and (3) of section 322.051, Florida Statutes, are amended to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application and payment of an application fee.

(a) Each such application shall include the following information regarding the applicant:

1. Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence*,* ~~and~~ mailing address, *proof of residential address satisfactory to the department,* country of birth, and a brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

a. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., ~~or~~ sub-subparagraph g.*, or sub-subparagraph h.*;

b. A certified copy of a United States birth certificate;

c. A *valid, unexpired* United States passport;

d. A naturalization certificate issued by the United States Department of Homeland Security;

e. *A valid, unexpired* ~~An~~ alien registration receipt card (green card);

f. A Consular Report of Birth Abroad provided by the United States Department of State;

g.~~f.~~ An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or

h.~~g.~~ Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, applicants may produce but are not limited to the following documents:

(I) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(II) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(III) Notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

(IV) Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

(V) Notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Bureau of Citizenship and Immigration Services.

(VI) Order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States including, but not limited to asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

Presentation of any of the documents described in sub-subparagraph *g.* ~~f.~~ or sub-subparagraph *h.* ~~g.~~ entitles the applicant to an identification card for a period not to exceed the expiration date of the document presented or 1 year, whichever first occurs.

(b) An application for an identification card must be signed and verified by the applicant in a format designated by the department before a person authorized to administer oaths *and payment of the applicable fee pursuant to s. 322.21.* ~~The fee for an identification card is $3, including payment for the color photograph or digital image of the applicant.~~

(c) Each such applicant may include fingerprints and any other unique biometric means of identity.

(2)(a) Every identification card*:*

1. Issued to a person 5 years of age to 14 years of age shall expire, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue.

2. Issued to a person 15 years of age and older shall expire, unless canceled earlier, on the eighth birthday of the applicant following the date of original issue.

Renewal of an identification card shall be made for the applicable term enumerated in this paragraph. ~~However, if an individual is 60 years of age or older, and has an identification card issued under this section, the card shall not expire unless done so by cancellation by the department or by the death of the cardholder. Renewal of any identification card shall be made for a term which shall expire on the fourth birthday of the applicant following expiration of the identification card renewed, unless surrendered earlier.~~ Any application for renewal received later than 90 days after expiration of the identification card shall be considered the same as an application for an original identification card. ~~The renewal fee for an identification card shall be $10, of which $4 shall be deposited into the General Revenue Fund and $6 into the Highway Safety Operating Trust Fund. The department shall, at the end of 4 years and 6 months after the issuance or renewal of an identification card, destroy any record of the card if it has expired and has not been renewed, unless the cardholder is 60 years of age or older.~~

(b) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for an identification card using a document authorized under sub-subparagraph (1)(a)3.e., the identification card shall expire on the *eighth* ~~fourth~~ birthday of the applicant following the date of original issue or upon first renewal or duplicate issued after implementation of this section. After an initial showing of such documentation, he or she is exempted from having to renew or obtain a duplicate in person.

(c) Notwithstanding any other provisions of this chapter, if an applicant establishes his or her identity for an identification card using an identification document authorized under sub-subparagraph *(1)(a)3.g.* (~~1)(a)3.f.~~ or sub-subparagraph *(1)(a)3.h.* ~~(1)(a)3.g.~~, the identification card shall expire *1 year* ~~2 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs, and may not be renewed or obtain a duplicate except in person.

(3) If an identification card issued under this section is lost, destroyed, or mutilated or a new name is acquired, the person to whom it was issued may obtain a duplicate upon furnishing satisfactory proof of such fact to the department and upon payment of *the applicable fee pursuant to s. 322.21* ~~a fee of $10 for such duplicate, $2.50 of which shall be deposited into the General Revenue Fund and $7.50 into the Highway Safety Operating Trust Fund~~. The fee shall include payment for the color photograph or digital image of the applicant. Any person who loses an identification card and who, after obtaining a duplicate, finds the original card shall immediately surrender the original card to the department. The same documentary evidence shall be furnished for a duplicate as for an original identification card.

Section 22. Effective October 1, 2008, subsections (1), (2), and (6) of section 322.08, Florida Statutes, are amended to read:

322.08 Application for license.—

(1) Each application for a driver's license shall be made in a format designated by the department and sworn to or affirmed by the applicant as to the truth of the statements made in the application.

(2) Each such application shall include the following information regarding the applicant:

(a) Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence*,* ~~and~~ mailing address, *proof of residential address satisfactory to the department,* country of birth, and a brief description.

(b) Proof of birth date satisfactory to the department.

(c) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

1. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., subparagraph 6., ~~or~~ subparagraph 7*., or subparagraph 8.*;

2. A certified copy of a United States birth certificate;

3. A *valid, unexpired* United States passport;

4. A naturalization certificate issued by the United States Department of Homeland Security;

5. *A valid, unexpired* ~~An~~ alien registration receipt card (green card);

6. A Consular Report of Birth Abroad provided by the United States Department of State;

7.~~6.~~ An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or

8.~~7.~~ Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original driver's license. In order to prove nonimmigrant classification, an applicant may produce the following documents, including, but not limited to:

a. A notice of hearing from an immigration court scheduling a hearing on any proceeding.

b. A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

c. A notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

d. Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

e. A notice of action transferring any pending matter from another jurisdiction to this state issued by the United States Bureau of Citizenship and Immigration Services.

f. An order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

g. Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

h. On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

Presentation of any of the documents in subparagraph *7.* ~~6.~~ or subparagraph *8.* ~~7.~~ entitles the applicant to a driver's license or temporary permit for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.

(d) Whether the applicant has previously been licensed to drive, and, if so, when and by what state, and whether any such license or driving privilege has ever been disqualified, revoked, or suspended, or whether an application has ever been refused, and, if so, the date of and reason for such disqualification, suspension, revocation, or refusal.

(e) Each such application may include fingerprints and other unique biometric means of identity.

(6) The application form for a driver's license or duplicate thereof shall include language permitting the following:

~~(a) A voluntary contribution of $5 per applicant, which contribution shall be transferred into the Election Campaign Financing Trust Fund.~~

(a)~~(b)~~ A voluntary contribution of $1 per applicant, which contribution shall be deposited into the Florida Organ and Tissue Donor Education and Procurement Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.

(b)~~(c)~~ A voluntary contribution of $1 per applicant, which contribution shall be distributed to the Florida Council of the Blind.

(c)~~(d)~~ A voluntary contribution of $2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.

(d)~~(e)~~ A voluntary contribution of $1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.

(e)~~(f)~~ A voluntary contribution of $1 per applicant, which shall be distributed to the Children's Hearing Help Fund.

A statement providing an explanation of the purpose of the trust funds shall also be included. For the purpose of applying the service charge provided in s. 215.20, contributions received under paragraphs *(b), (c), (d), and (e)* ~~(c), (d), (e), and (f)~~ and under s. 322.18(9)(a) are not income of a revenue nature.

Section 23. Effective October 1, 2008, paragraph (a) of subsection (1) of section 322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—

(1)(a) The department shall, upon successful completion of all required examinations and payment of the required fee, issue to every applicant qualifying therefor, a driver's license as applied for, which license shall bear thereon a color photograph or digital image of the licensee; the name of the state; a distinguishing number assigned to the licensee; and the licensee's full name, date of birth, and *residence* ~~mailing~~ address; a brief description of the licensee, including, but not limited to, the licensee's gender and height; and the dates of issuance and expiration of the license. A space shall be provided upon which the licensee shall affix his or her usual signature. No license shall be valid until it has been so signed by the licensee except that the signature of said licensee shall not be required if it appears thereon in facsimile or if the licensee is not present within the state at the time of issuance. Applicants qualifying to receive a Class A, Class B, or Class C driver's license must appear in person within the state for issuance of a color photographic or digital imaged driver's license pursuant to s. 322.142.

Section 24. Effective October 1, 2008, section 322.15, Florida Statutes, is amended to read:

322.15 License to be carried and exhibited on demand; fingerprint to be imprinted upon a citation.—

(1) Every licensee shall have his or her driver's license, which must be fully legible with no portion of such license faded, altered, mutilated, or defaced, in his or her immediate possession at all times when operating a motor vehicle and shall display the same upon the demand of a law enforcement officer or an authorized representative of the department.

(2) Upon the failure of any person to display a driver's license as required by subsection (1), the law enforcement officer or authorized representative of the department stopping the person shall require the person to imprint his or her *fingerprints* ~~fingerprint~~ upon any citation issued by the officer or authorized representative*, or the officer or authorized representative shall collect the fingerprints electronically*.

(3) In relation to violations of subsection (1) or s. 322.03(5), persons who cannot supply proof of a valid driver's license for the reason that the license was suspended for failure to comply with that citation shall be issued a suspension clearance by the clerk of the court for that citation upon payment of the applicable penalty and fee for that citation. If proof of a valid driver's license is not provided to the clerk of the court within 30 days, the person's driver's license shall again be suspended for failure to comply.

(4) A violation of subsection (1) is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

Section 25. Effective October 1, 2008, section 322.17, Florida Statutes, is amended to read:

322.17 *Replacement licenses and permits* ~~Duplicate and replacement certificates~~.—

(1)(a) In the event that an instruction permit or driver's license issued under the provisions of this chapter is lost or destroyed, the person to whom the same was issued may, upon payment of *the appropriate fee pursuant to s. 322.21* ~~$10~~, obtain a *replacement* ~~duplicate, or substitute thereof,~~ upon furnishing proof satisfactory to the department that such permit or license has been lost or destroyed, and further furnishing the full name, date of birth, sex, residence and mailing address, proof of birth satisfactory to the department, and proof of identity satisfactory to the department. ~~Five dollars of the fee levied in this paragraph shall go to the Highway Safety Operating Trust Fund of the department.~~

(b) In the event that an instruction permit or driver's license issued under the provisions of this chapter is stolen, the person to whom the same was issued may, at no charge, obtain a *replacement* ~~duplicate, or~~

~~substitute thereof,~~ upon furnishing proof satisfactory to the department that such permit or license was stolen and further furnishing the full name, date of birth, sex, residence and mailing address, proof of birth satisfactory to the department, and proof of identity satisfactory to the department.

(2) Upon the surrender of the original license and the payment of *the appropriate fee pursuant to s. 322.21* ~~a $10 replacement fee~~, the department shall issue a replacement license to make a change in name, address, or restrictions. ~~Upon written request by the licensee and notification of a change in address, and the payment of a $10 fee, the department shall issue an address sticker which shall be affixed to the back of the license by the licensee. Nine dollars of the fee levied in this subsection shall go to the Highway Safety Operating Trust Fund of the department.~~

(3) Notwithstanding any other provisions of this chapter, if a licensee establishes his or her identity for a driver's license using an identification document authorized under *s. 322.08(2)(c)7. or 8.* ~~s. 322.08(2)(c)6. or 7.~~ , the licensee may not obtain a duplicate or replacement instruction permit or driver's license except in person and upon submission of an identification document authorized under *s. 322.08(2)(c)7. or 8.* ~~s. 322.08(2)(c)6. or 7.~~

Section 26. Effective October 1, 2008, subsections (2), (4), (5), (8), and (9) of section 322.18, Florida Statutes, are amended to read:

322.18 Original applications, licenses, and renewals; expiration of licenses; delinquent licenses.—

(2) Each applicant who is entitled to the issuance of a driver's license, as provided in this section, shall be issued a driver's license, as follows:

(a) An applicant *who has not attained 80 years of age* applying for an original issuance shall be issued a driver's license *that* ~~which~~ expires at midnight on the licensee's birthday which next occurs on or after the *eighth* ~~sixth~~ anniversary of the date of issue. *An applicant who is at least 80 years of age applying for an original issuance shall be issued a driver's license that expires at midnight on the licensee's birthday that next occurs on or after the sixth anniversary of the date of issue.*

(b) An applicant *who has not attained 80 years of age* applying for a renewal issuance ~~or renewal extension~~ shall be issued a driver's license *that* ~~or renewal extension sticker which~~ expires at midnight on the licensee's birthday *that* ~~which~~ next occurs *8* 4 years after the month of expiration of the license being renewed . *An applicant who is at least 80 years of age applying for a renewal issuance shall be issued a driver's license that*~~, except that a driver whose driving record reflects no convictions for the preceding 3 years shall be issued a driver's license or renewal extension sticker which~~ expires at midnight on the licensee's birthday *that* ~~which~~ next occurs 6 years after the month of expiration of the license being renewed.

(c) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized under s. 322.08(2)(c)5., the driver's license shall expire in accordance with paragraph (b). After an initial showing of such documentation, he or she is exempted from having to renew or obtain a duplicate in person.

(d) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized in s. 322.08(2)(c)7.~~6.~~ or *8.*~~7.~~, the driver's license shall expire *1 year* ~~2 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs.

(e) Notwithstanding any other provision of this chapter, an applicant applying for an original or renewal issuance of a commercial driver's license as defined in s. 322.01(7), with a hazardous-materials endorsement, pursuant to s. 322.57(1)(e), shall be issued a driver's license that expires at midnight on the licensee's birthday that next occurs 4 years after the month of expiration of the license being issued or renewed.

(4)(a) Except as otherwise provided in this chapter, all licenses shall be renewable every *8* 4 years ~~or 6 years, depending upon the terms of issuance~~ and shall be issued or *renewed* ~~extended~~ upon application, payment of the fees required by s. 322.21, and successful passage of any required examination, unless the department has reason to believe that the licensee is no longer qualified to receive a license.

(b) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized under s. 322.08(2)(c)5., the license, upon an initial showing of such documentation, is exempted from having to renew or obtain a duplicate in person, unless the renewal or duplication coincides with the periodic reexamination of a driver as required pursuant to s. 322.121.

(c) Notwithstanding any other provision of this chapter, if a licensee establishes his or her identity for a driver's license using an identification document authorized under s. 322.08(2)(c)7.~~6.~~ or *8.*~~7.~~, the licensee may not renew the driver's license except in person and upon submission of an identification document authorized under s. 322.08(2)(c)7.~~6.~~ or *8.*~~7.~~ A driver's license renewed under this paragraph expires *1 year* ~~4 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs.

(5) All renewal driver's licenses may be issued after the applicant licensee has been determined to be eligible by the department.

(a) A licensee who is otherwise eligible for renewal and who is *at least 80* ~~over 79~~ years of age:

1. Must submit to and pass a vision test administered at any driver's license office; or

2. If the licensee applies for *a renewal using a convenience service* ~~an extension by mail~~ as provided in subsection (8), *he or she* must submit to a vision test administered by a physician licensed under chapter 458 or chapter 459, or an optometrist licensed under chapter 463, must send the results of that test to the department on a form obtained from the department and signed by such health care practitioner, and must meet vision standards that are equivalent to the standards for passing the departmental vision test. The physician or optometrist may submit the results of a vision test by a department-approved electronic means.

(b) A licensee who is *at least 80* ~~over 79~~ years of age may not submit an application for *renewal* ~~extension~~ under subsection (8) by *a convenience service* ~~electronic or telephonic means,~~ unless the results of a vision test have been electronically submitted in advance by the physician or optometrist.

(8) The department shall issue *8-year renewals using a convenience service* ~~4-year and 6-year license extensions by mail, electronic, or telephonic means~~ without reexamination *to drivers who have not attained 80 years of age. The department shall issue 6-year renewals using a convenience service when the applicant has satisfied the requirements of subsection (5).*

(a) If the department determines from its records that the holder of a license about to expire is eligible for renewal, the department shall mail a renewal notice to the licensee at his or her last known address, not less than 30 days prior to the licensee's birthday. The renewal notice shall direct the licensee to appear at a driver license office for in-person renewal or to transmit the completed renewal notice and the fees required by s. 322.21 to the department *using a convenience service* ~~by mail, electronically, or telephonically within the 30 days preceding the licensee's birthday for a license extension~~. ~~License extensions shall not be available to drivers directed to appear for in-person renewal.~~

(b) Upon receipt of a properly completed renewal notice, payment of the required fees, and upon determining that the licensee is still eligible for renewal, the department shall send a *new* license ~~extension sticker~~ to the licensee ~~to affix to the expiring license~~ as evidence that the license term has been extended.

(c) The department shall issue *one renewal using a convenience service* ~~license extensions for two consecutive license expirations only. Upon expiration of two consecutive license extension periods, in-person renewal with reexamination as provided in s. 322.121 shall be required~~ . A person who is out of this state when his or her license expires may be issued a 90-day temporary driving permit without reexamination. At the end of the 90-day period, the person must either return to this state or apply for a license where the person is located, except for a member of the Armed Forces as provided in s. 322.121(6).

~~(d) In-person renewal at a driver license office shall not be available to drivers whose records indicate they were directed to apply for a license extension.~~

(d)~~(e)~~ Any person who knowingly possesses any forged, stolen, fictitious, counterfeit, or unlawfully issued license extension sticker, unless possession by such person has been duly authorized by the department, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e)~~(f)~~ The department shall develop a plan for the equitable distribution of license ~~extensions and~~ renewals and the orderly implementation of this section.

(9)(a) The application form for a renewal issuance ~~or renewal extension~~ shall include language permitting a voluntary contribution of $1 per applicant, to be quarterly distributed by the department to Prevent Blindness Florida, a not-for-profit organization, to prevent blindness and preserve the sight of the residents of this state. A statement providing an explanation of the purpose of the funds shall be included with the application form.

(b) Prior to the department distributing the funds collected pursuant to paragraph (a), Prevent Blindness Florida must submit a report to the department that identifies how such funds were used during the preceding year.

Section 27. *Section 322.181, Florida Statutes, is repealed.*

Section 28. Effective October 1, 2008, subsections (2) and (4) of section 322.19, Florida Statutes, are amended to read:

322.19 Change of address or name.—

(2) Whenever any person, after applying for or receiving a driver's license, changes the residence or mailing address in the application or license, the person must, within 10 calendar days, ~~either~~ obtain a replacement license that reflects the change ~~or request in writing a change-of-address sticker~~. *A* ~~The~~ written request to the department must include the old and new addresses and the driver's license number.

(4) Notwithstanding any other provision of this chapter, if a licensee established his or her identity for a driver's license using an identification document authorized under s. 322.08(2)(c)7.~~6.~~ or *8.*~~7.~~, the licensee may not change his or her name or address except in person and upon submission of an identification document authorized under s. 322.08(2)(c)7.~~6.~~ or *8.*~~7.~~

Section 29. Effective October 1, 2008, subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(1) Except as otherwise provided herein, the fee for:

(a) An original or renewal commercial driver's license is *$67* ~~$50~~, which shall include the fee for driver education provided by s. 1003.48; however, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires the commercial license, the fee shall be the same as for a Class E driver's license. A delinquent fee of $1 shall be added for a renewal made not more than 12 months after the license expiration date.

(b) An original Class E driver's license is *$27* ~~$20~~, which shall include the fee for driver's education provided by s. 1003.48; however, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires a commercial driver license, the fee shall be the same as for a Class E license.

(c) The renewal or extension of a Class E driver's license or of a license restricted to motorcycle use only is *$20* ~~$15~~, except that a delinquent fee of $1 shall be added for a renewal or extension made not more than 12 months after the license expiration date. The fee provided in this paragraph shall include the fee for driver's education provided by s. 1003.48.

(d) An original driver's license restricted to motorcycle use only is *$27* ~~$20~~, which shall include the fee for driver's education provided by s. 1003.48.

(e) A replacement driver's license issued pursuant to s. 322.17 is $10. Of this amount, $7 shall be deposited into the Highway Safety Operating Trust Fund and $3 shall be deposited into the General Revenue Fund.

(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is $10. Funds collected from these fees shall be distributed as follows:

1. For an original identification card issued pursuant to s. 322.051 the fee shall be $10. This amount shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051 the fee shall be $10. Of this amount, $6 shall be deposited into the Highway Safety Operating Trust Fund and $4 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051 the fee shall be $10. Of this amount, $9 shall be deposited into the Highway Safety Operating Trust Fund and $1 shall be deposited into the General Revenue Fund.

(g)~~(e)~~ Each endorsement required by s. 322.57 is *$7* ~~$5~~.

(h)~~(f)~~ A hazardous-materials endorsement, as required by s. 322.57(1)(d), shall be set by the department by rule and shall reflect the cost of the required criminal history check, including the cost of the state and federal fingerprint check, and the cost to the department of providing and issuing the license. The fee shall not exceed $100. This fee shall be deposited in the Highway Safety Operating Trust Fund. The department may adopt rules to administer this section.

Section 30. Subsection (2) of section 322.271, Florida Statutes, is amended to read:

322.271 Authority to modify revocation, cancellation, or suspension order.—

(2)~~(a)~~ *At* ~~Upon~~ such hearing, the person whose license has been suspended, canceled, or revoked may show that such suspension, cancellation, or revocation ~~of his or her license~~ causes a serious hardship and precludes the *person from* ~~person's~~ carrying out his or her normal business occupation, trade, or employment and that the use of the person's license in the normal course of his or her business is necessary to the proper support of the person or his or her family.

(a) Except as otherwise provided in this subsection, the department shall require proof of the successful completion of the applicable department-approved driver training course operating pursuant to s. 318.1451 or DUI program substance abuse education course and evaluation as provided in s. 316.193(5). Letters of recommendation from respected business persons in the community, law enforcement officers, or judicial officers may also be required to determine whether such person should be permitted to operate a motor vehicle on a restricted basis for business or employment use only and in determining whether such person can be trusted to ~~so~~ operate a motor vehicle. If a driver's license has been suspended under the point system or pursuant to s. 322.2615, the department shall require proof of enrollment in the applicable department-approved driver training course or licensed DUI program substance abuse education course, including evaluation and treatment, if referred, and may require letters of recommendation described in this *paragraph* ~~subsection~~ to determine if the driver should be reinstated on a restricted basis. If such person fails to complete the approved course within 90 days after reinstatement or subsequently fails to complete treatment, if applicable, the department shall cancel his or her driver's license until the course and treatment~~, if applicable,~~ is successfully completed, notwithstanding the terms of the court order or any suspension or revocation of the driving privilege. The department may temporarily reinstate the driving privilege on a restricted basis upon verification from the DUI program that the offender has reentered and is currently participating in treatment and has completed the DUI education course and evaluation requirement. If the DUI program notifies the department of the second failure to complete treatment, the department shall reinstate the driving privilege only after notice of completion of treatment from the DUI program. The privilege of driving on a limited or restricted basis for business or employment use *may* ~~shall~~ not be granted to a person who has been convicted of a violation of s. 316.193 until completion of the DUI program substance abuse education course and evaluations as provided in s. 316.193(5). Except as provided in paragraph (b), the privilege of

driving on a limited or restricted basis for business or employment use *may* ~~shall~~ not be granted to a person whose license is revoked pursuant to s. 322.28 or suspended pursuant to s. 322.2615 and who has been convicted of a violation of s. 316.193 two or more times or whose license has been suspended two or more times for refusal to submit to a test pursuant to s. 322.2615 or former s. 322.261.

(b) The department may waive the hearing process for suspensions and revocations upon request by the driver if the driver has enrolled or completed the applicable driver training course approved pursuant to s. 318.1451 or DUI program substance abuse education course and evaluation provided in s. 316.193(5). However, the department may not waive the hearing for suspensions or revocations that involve death or serious bodily injury, multiple convictions for violations of s. 316.193 pursuant to s. 322.27(5), or a second or subsequent suspension or revocation pursuant to the same provision under this chapter. This does not preclude the department from requiring a hearing for any suspension or revocation that it determines is warranted based on the severity of the offense.

(c)~~(b)~~ A person whose license has been revoked for a period of 5 years or less pursuant to s. 322.28(2)(a) may, ~~upon the expiration of~~ 12 months after the date *the* ~~said~~ revocation was imposed, petition the department for reinstatement of his or her driving privilege on a restricted basis. A person whose license has been revoked for ~~a period of~~ more than 5 years under s. 322.28(2)(a) may, ~~upon the expiration of~~ 24 months after the date the revocation was imposed, petition the department for reinstatement of his or her driving privilege on a restricted basis. Reinstatement ~~of the driving privilege~~ pursuant to this subsection shall be restricted to business or employment purposes only. In addition, the department shall require such persons upon reinstatement to have not driven and to have been drug free for at least 12 months immediately *before* ~~prior to such~~ reinstatement, to be supervised by a DUI program licensed by the department, and to report to the program at least three times a year as required by the program for the duration of the revocation period for supervision. Such supervision *includes* ~~shall include~~ evaluation, education, referral into treatment, and other activities required by the department. Such persons shall assume reasonable costs of supervision. If *the* ~~such~~ person fails to comply with the required supervision, the program shall report the failure to the department~~,~~ and the department shall cancel *the* ~~such~~ person's driving privilege. This paragraph does not apply to any person whose driving privilege has been permanently revoked.

(d)~~(c)~~ For the purpose of this section, a previous conviction of driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any other similar alcohol-related or drug-related offense outside this state or a previous conviction of former s. 316.1931, former s. 316.028, or former s. 860.01 *is* ~~shall be~~ considered a previous conviction for violation of s. 316.193.

(e)~~(d)~~ The department, based upon review of the licensee's application for reinstatement, may require *the* use of an ignition interlock device pursuant to s. 322.2715.

Section 31. Section 322.293, Florida Statutes, is amended to read:

322.293 DUI programs ~~Coordination Trust Fund~~; assessment; disposition.—

(1) ~~The~~ DUI programs ~~Coordination Trust Fund~~ shall be administered by the department~~,~~ and the costs of administration shall be borne by *the revenue collections provided in this section* ~~the fund~~. All funds received by the *department* ~~DUI Programs Coordination Trust Fund~~ shall be used ~~solely~~ for the purposes set forth in this *chapter and for the general operation of the department* ~~section and s. 322.292~~. ~~However, if the Legislature passes legislation consolidating existing trust funds assigned to the department, all funds remaining in and deposited to the DUI Programs Coordination Trust Fund shall be transferred to the consolidated trust funds, subject to their being earmarked for use solely for the purposes set forth in this section and s. 322.292.~~

(2) Each DUI program shall assess $12 against each person enrolling in a DUI program at the time of enrollment, including persons who transfer to or from a program in another state. In addition, second and third offenders and those offenders under permanent driver's-license revocation who are evaluated for ~~eligibility for~~ license restrictions under s. *322.271(2)* ~~322.271(2)(b)~~ and (4) shall be assessed $12 upon enrollment in the program and upon each subsequent anniversary date while they are in the program, for the duration of the license period.

(3) All assessments collected under this section shall be *deposited in the Highway Safety Operating* ~~forwarded to the DUI Programs Coordination~~ Trust Fund within 30 days after the last day of the month in which the assessment was received.

Section 32. Section 328.30, Florida Statutes, is amended to read:

328.30 Transactions by electronic or telephonic means.—

(1) The department is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may issue an electronic certificate of title in lieu of printing a paper title.

(3) The department may collect and use e-mail addresses of vessel owners and registrants as a notification method in lieu of the United States Postal Service.

Section 33. Section 328.80, Florida Statutes, is amended to read:

328.80 Transactions by electronic or telephonic means.—

(1) The *department* ~~commission~~ is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may collect and use e-mail addresses of vessel owners and registrants as a notification method in lieu of the United States Postal Service.

Section 34. Subsection (26) of section 344.044, Florida Statutes, is amended to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(26) To provide for the conservation of natural roadside growth and scenery and for the implementation and maintenance of roadside beautification programs, *up to* ~~and no less than~~ 1.5 percent of the amount contracted for construction projects *may* ~~shall~~ be allocated by the department to beautification programs. Except where prohibited by federal law or federal regulation and to the extent practical, a minimum of 50 percent of these funds shall be used to purchase large plant materials with the remaining funds for other plant materials. All such plant materials shall be purchased from Florida-based nurseryman stock on a uniform competitive bid basis. The department will develop grades and standards for landscaping materials purchased through this process. To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.

Section 35. Paragraph (d) is added to subsection (1) of section 338.2216, Florida Statutes, to read:

338.2216 Florida Turnpike Enterprise; powers and authority.—

(1)

(d)1. The Florida Turnpike Enterprise shall not under any circumstances contract with any vendor for the retail sale of fuel along the Florida Turnpike if such contract is negotiated or bid together with any other contract, including, but not limited to, the retail sale of food, maintenance services, or construction, with the exception that any contract for the retail sale of fuel along the Florida Turnpike shall be bid and contracted together with the retail sale of food at any convenience store attached to the fuel station.

2. Except for services provided as defined in s. 287.055(2)(a), all contracts related to service plazas, including, but not limited to, the sale of fuel, the retail sale of food, maintenance services, or construction, awarded by the Florida Turnpike Enterprise shall be procured through individual competitive solicitations and awarded to the most cost-effective responder. This paragraph does not prohibit the award of more than one individual contract to a single vendor if he or she submits the most cost-effective response.

Section 36. Paragraph (a) of subsection (4) of section 339.135, Florida Statutes, is amended 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 subparagraph 1. and s. 206.46(3), in fiscal years 2008-2009 through 2012-2013, the department shall reduce work program levels to balance the finance plan to the revised funding levels resulting from any reduction in the funding provided for under s. 201.15.

4. Prior to any project or phase thereof being deferred, such reductions 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, preservation, maintenance, or project contingency levels as of July 1, 2008.

Section 37. Subsection (19) of section 501.976, Florida Statutes, is amended to read:

501.976 Actionable, unfair, or deceptive acts or practices.—It is an unfair or deceptive act or practice, actionable under the Florida Deceptive and Unfair Trade Practices Act, for a dealer to:

(19) Fail to disclose damage to a new motor vehicle, as defined in s. *319.001* ~~319.001(8)~~, of which the dealer had actual knowledge, if the dealer's actual cost of repairs exceeds the threshold amount, excluding replacement items.

In any civil litigation resulting from a violation of this section, when evaluating the reasonableness of an award of attorney's fees to a private person, the trial court shall consider the amount of actual damages in relation to the time spent.

Section 38. Subsection (3) of section 553.75, Florida Statutes, as amended to read:

553.75 Organization of commission; rules and regulations; meetings; staff; fiscal affairs.—

(3) The department shall be responsible for the provision of administrative and staff support services relating to the functions of the commission. With respect to matters within the jurisdiction of the commission, the department shall be responsible for the implementation and faithful discharge of all decisions of the commission made pursuant to its authority under the provisions of this part. *The department is authorized to use communications media technology to conduct any meetings of the commission or meetings held in conjunction therewith.*

Section 39. Subsection (1) of section 765.5215, Florida Statutes, is amended to read:

765.5215 Education program relating to anatomical gifts.—The Agency for Health Care Administration, subject to the concurrence of the Department of Highway Safety and Motor Vehicles, shall develop a continuing program to educate and inform medical professionals, law enforcement agencies and officers, high school children, state and local government employees, and the public regarding the laws of this state relating to anatomical gifts and the need for anatomical gifts.

(1) The program is to be implemented with the assistance of the organ and tissue donor education panel as provided in s. 765.5216 and with the funds collected under ss. 320.08047 and 322.08(6)*(a)*~~(b)~~. Existing community resources, when available, must be used to support the program, and volunteers may assist the program to the maximum extent possible. The Agency for Health Care Administration may contract for the provision of all or any portion of the program. When awarding such contract, the agency shall give priority to existing nonprofit groups that are located within the community, including within the minority communities specified in subsection (2). The program aimed at educating medical professionals may be implemented by contract with one or more medical schools located in the state.

Section 40. Subsection (1) of section 765.5216, Florida Statutes, is amended to read:

765.5216 Organ and tissue donor education panel.—

(1) The Legislature recognizes that there exists in the state a shortage of organ and tissue donors to provide the organs and tissue that could save lives or enhance the quality of life for many Floridians. The Legislature further recognizes the need to encourage the various minority populations of Florida to donate organs and tissue. It is the intent of the Legislature that the funds collected pursuant to ss. 320.08047 and 322.08(6)*(a)*~~(b)~~ be used for educational purposes aimed at increasing the number of organ and tissue donors, thus affording more Floridians who are awaiting organ or tissue transplants the opportunity for a full and productive life.

Section 41. 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, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to state infrastructure; amending s. 17.61, F.S.; removing the DUI Programs Coordination Trust Fund from the list of funds invested by the Chief Financial Officer; reenacting and amending s. 20.24, F.S., relating to the establishment of the Department of Highway Safety and Motor Vehicles pursuant to the provisions of the Florida Government Accountability Act; removing a provision for the Bureau of Motor Vehicle Inspection; amending s. 215.20, F.S.; removing the DUI Programs Coordination Trust Fund from the list of funds subject to a specified service charge; amending s. 252.372, F.S.; revising provisions for a surcharge on certain insurance policies; removing a provision directing the proceeds of the surcharge be deposited into the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 290.047, F.S.; revising provisions for certain procurement procedures developed by the Department of Community Affairs for eligible local governments under the Florida Small Cities Community Development Block Grant Program; providing that such procurement procedures may not exceed specified federal requirements; amending s. 316.251, F.S.; conforming a cross-reference to changes made by the act; amending s. 318.18, F.S.; revising the amount of a penalty for failure to pay specified penalties for certain traffic infractions; providing for distribution of the increased amount collected; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.40, F.S.; authorizing the issuance of electronic motor vehicle titles in lieu of paper motor vehicle titles; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending s. 320.02, F.S.; removing a requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; amending s. 320.06, F.S.; providing for distribution of certain moneys collected relating to registration of motor vehicles and mobile homes; amending s. 320.08, F.S.; revises uses of certain motorcycle and moped license tax

fees; amending ss. 320.0805 and 320.08056, F.S.; providing for disposition of certain specialty license plate processing fees; amending s. 320.203, F.S., relating to disposition of biennial license tax moneys; conforming provisions to changes made by the act; amending s. 320.95, F.S.; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending s. 322.01, F.S.; defining the term "convenience service" for purposes of transactions with the department; revising the definition of the term "conviction" to provide for application to offenses committed by a person holding a commercial driver's license; revising the definition of the terms "hazardous materials" and "out-of-service order"; amending s. 322.025, F.S.; revising provisions for funding of certain driver improvement programs; amending s. 322.0255, F.S.; eliminating requirements for motorcycle safety education course reimbursements; amending s. 322.03, F.S.; removing provisions for issuance of a license valid in Florida only; prohibiting a person from holding more than one driver's license; authorizing use of such licenses until next renewal; amending s. 322.051, F.S.; revising requirements for application for issuance or renewal of an identification card; revising provisions providing for the expiration of an identification card issued by the department; amending s. 322.08, F.S.; revising requirements for application for a driver's license; removing a provision requiring the application form to include language permitting a voluntary contribution for the Election Campaign Financing Trust Fund; amending s. 322.14, F.S.; revising provisions for content of a driver's license; requiring the license to contain the licensee's residence address; removing a requirement that the license contain the licensee's mailing address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration and renewal of driver's licenses; providing for the renewal of certain licenses every 8 years; conforming cross-references; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; repealing s. 322.181, F.S., relating to a study of effects of aging on driving ability; eliminating the Florida At-Risk Driver Council; amending s. 322.19, F.S.; revising provisions for a licensee changing address; removing a provision for the licensee to request a change-of-address sticker; conforming cross-references; amending s. 322.21, F.S.; increasing the service fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; revising provisions for distribution and use of the funds received; amending s. 322.271, F.S.; authorizing the department to waive the hearing process for a person whose license has been suspended, cancelled, or revoked; providing exceptions; amending s. 322.293, F.S.; requiring that DUI programs be administered by the department and paid for by revenues collected by such programs; providing that such revenues be deposited into the Highway Safety Operating Trust Fund; amending s. 328.30, F.S.; authorizing the use of electronic mail for distribution of vessel titles; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 328.80, F.S.; authorizing the department to accept certain applications by electronic or telephonic means; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 334.044, F.S.; revising duties of the Department of Transportation; revising certain roadside beautification provisions; amending s. 338.2216, F.S.; providing contract bid requirements for fuel and food on the turnpike system; amending s. 339.135, F.S.; providing for use of transportation revenues; providing for revised funding levels for Department of Transportation projects; amending s. 501.976, F.S.; conforming cross-references to changes made by the act; amending s. 553.75, F.S.; authorizing the Building Code Commission to utilize communications media technology to conduct meetings; amending ss. 765.5215 and 765.5216, F.S.; conforming a cross-reference; providing effective dates.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5067** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Baker	Constantine
Alexander	Bennett	Crist
Aronberg	Bullard	Dean
Atwater	Carlton	Deutch
Diaz de la Portilla	Joyner	Rich
Dockery	Justice	Ring
Fasano	King	Saunders
Gaetz	Lawson	Siplin
Garcia	Lynn	Storms
Geller	Margolis	Villalobos
Haridopolos	Oelrich	Wilson
Hill	Peaden	Wise
Jones	Posey	

Nays—1

Webster

Vote after roll call:

Yea—Dawson

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5071, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5071

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5071, same being:

An act relating to **Economic Development**; removing a timeframe restriction on the use of proceeds from the Professional Sports Development Trust Fund for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; revising provisions relating to the application and certification process for the Black Business Loan Program; providing requirements concerning distribution of program funding; conforming a cross-reference.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

s/Stephen R. Wise

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff, At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen, At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (337579)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (9) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

(b) The license plate annual use fees are to be annually distributed as follows:

1. Fifty-five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used solely to attract and support major sports events in this state. As used in this subparagraph, the term "major sports events" means, but is not limited to, championship or all-star contests of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, the men's and women's National Collegiate Athletic Association Final Four basketball championship, or a horseracing or dogracing Breeders' Cup. All funds must be used to support and promote major sporting events, and the uses must be approved by the Florida Sports Foundation.

2. The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. These funds must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used by the Florida Sports Foundation to promote the economic development of the sports industry; to distribute licensing and royalty fees to participating professional sports teams; to promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards; to partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement; to institute a grant program for communities bidding on minor sporting events that create an economic impact for the state; to distribute funds to Florida-based charities designated by the Florida Sports Foundation and the participating professional sports teams; and to fulfill the sports promotion responsibilities of the Office of Tourism, Trade, and Economic Development.

3. The Florida Sports Foundation shall provide an annual financial audit in accordance with s. 215.981 of its financial accounts and records by an independent certified public accountant pursuant to the contract established by the Office of Tourism, Trade, and Economic Development as specified in s. 288.1229(5). The auditor shall submit the audit report to the Office of Tourism, Trade, and Economic Development for review and approval. If the audit report is approved, the office shall certify the audit report to the Auditor General for review.

4. ~~For the 2007-2008 fiscal year only and~~ Notwithstanding the provisions of subparagraphs 1. and 2., proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games. ~~This subparagraph expires July 1, 2008.~~

Section 2. Section 288.7102, Florida Statutes, is amended to read:

288.7102 Black Business Loan Program.—

(1) The Black Business Loan Program is established in the Office of Tourism, Trade, and Economic Development. Under the program, the office shall annually certify eligible recipients and subsequently disburse funds appropriated by the Legislature, through such eligible recipients, to black business enterprises that cannot obtain capital through conventional lending institutions but that could otherwise compete successfully in the private sector.

(2)~~(1)~~ The office shall establish *an* ~~a uniform, open, and competitive~~ application and annual certification process for *entities seeking* ~~eligible recipients who seek~~ funds to *participate in providing* ~~provide~~ loans, loan guarantees, or investments in black business enterprises pursuant to the Florida Black Business Investment Act. The board shall receive the applications and make recommendations for certification to the office. *The office shall processes all applications and recertifications submitted by July 1 on or before September 30.*

(3) If the Black Business Loan Program is appropriated any funding in a fiscal year, the office shall distribute an equal amount of the appropriation, calculated as the total annual appropriation divided by the total number of program recipients certified on or before September 30 of that fiscal year.

~~(2) The office, in consultation with the board, shall develop an allocation policy to ensure that services provided under ss. 288.707-288.714 for the benefit of black business enterprises are disbursed equitably throughout the state. The board shall facilitate the formation of black business investment corporations in communities that are not served by such corporations.~~

(4)~~(3)~~ To be eligible to receive funds and provide loans, loan guarantees, or investments under this section, a recipient must:

(a) Be a corporation registered in the state.

(b) Demonstrate that its board of directors includes citizens of the state experienced in the development of black business enterprises.

(c) Demonstrate that the recipient has a business plan that allows the recipient to operate in a manner consistent with ss. 288.707-288.714 and the rules of the office.

(d) Demonstrate that the recipient has the technical skills to analyze and evaluate applications by black business enterprises for loans, loan guarantees, or investments.

(e) Demonstrate that the recipient has established viable partnerships with public and private funding sources, economic development agencies, and workforce development and job referral networks.

(f) Demonstrate that the recipient can provide a private match equal to 20 percent of the amount of funds provided by the office.

(g) Agree to maintain the recipient's books and records relating to funds received by the office according to generally accepted accounting principles and in accordance with the requirements of s. 215.97(7) and to make those books and records available to the office for inspection upon reasonable notice.

(5)~~(4)~~ The board shall annually recommend to the office certification of each eligible recipient, who must meet the provisions of ss. 288.707-288.714, the terms of the contract between the recipient and the office, and any other applicable state or federal laws. An entity may not receive funds under ss. 288.707-288.714 unless the entity meets annual certification requirements.

(6)~~(5)~~ Upon approval by the office and prior to release of the funds as provided in this section, the office shall issue a letter certifying the applicant as qualified for an award. The office and the applicant shall enter into an agreement that sets forth the conditions for award of the funds. The agreement must include the total amount of funds awarded; the performance conditions that must be met once the funding has been awarded, including, but not limited to, compliance with all of the requirements of this section for eligible recipients of funds under this section; and sanctions for failure to meet performance conditions, including any provisions to recover awards.

(7)~~(6)~~(a) The office, in consultation with the board, shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

(b) The board shall adopt policies and procedures necessary to implement this section.

(8)~~(7)~~ A black business investment corporation certified by the office as an eligible recipient under this section is authorized to use funds appropriated for the Black Business Loan Program in any of the following forms:

(a) Purchases of stock, preferred or common, voting or nonvoting; however, no more than 40 percent of the funds may be used for direct investments in black business enterprises;

(b) Loans or loan guarantees, with or without recourse, in either a subordinated or priority position; or

(c) Technical support to black business enterprises, not to exceed 7 percent of the funds received, and direct administrative costs, not to exceed 10 percent of the funds received.

(9)~~(8)~~ It is the intent of the Legislature that if any one type of investment mechanism authorized in subsection *(8)* ~~(7)~~ is held to be invalid, all other valid mechanisms remain available.

(10)~~(9)~~ All loans, loan guarantees, and investments, and any income related thereto, shall be used to carry out the public purpose of ss. 288.707-288.714, which is to develop black business enterprises. This subsection does not preclude a reasonable profit for the participating black business investment corporation or for return of equity developed to the state and participating financial institutions upon any distribution of the assets or excess income of the investment corporation.

Section 3. Subsection (2) of section 288.7094, Florida Statutes, is amended to read:

288.7094 Black business investment corporations.—

(2) A black business investment corporation that meets the requirements of s. 288.7102*(4)*~~(3)~~ is eligible to participate in the Black Business Loan Program and shall receive priority consideration by the Office of Tourism, Trade, and Economic Development for participation in the program.

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to economic development; amending s. 320.08058, F.S.; removing a timeframe restriction on the use of proceeds from the Professional Sports Development Trust Fund for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 288.7102, F.S.; revising provisions relating to the application and certification process for the Black Business Loan Program; providing requirements concerning distribution of program funding; amending s. 288.7094, F.S.; conforming a cross-reference; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5071** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5073, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5073

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5073, same being:

An act relating to the **Department of State**; eliminating the fee charged by the department for searching of papers or record s; eliminating the requirement for the establishment of regional offices for th e purpose of assisting the department in the delivery of historic preservation services; eliminating reference to contracting with the University of West Florida as a regional office serving a specified area, to conform; repealing s. 267 .174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission.

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/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson

s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (458525)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 15.09, Florida Statutes, is amended to read:

15.09 Fees.—

(1) The fees, except as provided by law, to be collected by the Department of State, are:

~~(a) For searching of papers or records, $3.50, except that there shall be no charge for telephone requests for general corporate information, including the corporation's status, names of officers and directors, address of principal place of business, and name and address of resident agent.~~

(a)~~(b)~~ For providing a certificate with seal, $8.75; however, no fee shall be charged for providing a certificate with seal to any officer appointed to an office requiring Senate confirmation.

(b)~~(c)~~ For furnishing statistical information and for copying any document not mentioned, $1 per page or fraction thereof.

Section 2. Paragraph (m) of subsection (5) of section 267.031, Florida Statutes, is amended, and paragraphs (n) through (p) of that subsection are redesignated as paragraphs (m) through (o), respectively, to read:

267.031 Division of Historical Resources; powers and duties.—

(5) It is the responsibility of the division to:

~~(m) Establish regional offices for the purpose of assisting the division in the delivery of historic preservation services to the counties and municipalities of the state and to the citizens of the State of Florida. Historic preservation regional offices shall be established in at least three areas of the state which the division deems appropriate. For each regional office established, the division shall establish a citizen advisory board to provide assistance, advice, and recommendations to the regional office. The members of each citizen advisory board shall be appointed by the Secretary of State.~~

Section 3. Subsection (5) of section 267.173, Florida Statutes, is amended, and subsections (6) through (8) of that section are renumbered as subsections (5) through (7), respectively, to read:

267.173 Historic preservation in West Florida; goals; contracts for historic preservation; powers and duties.—

~~(5) The Division of Historical Resources in the Department of State may contract with the University of West Florida to serve as the regional office for the West Florida region of the state from the Apalachicola River to the western boundaries of the state. In lieu of the establishment of a citizen advisory board as required by s. 267.031(5)(m), the University of West Florida may use an existing direct-support organization of the university provided that the membership of the direct-support organization is representative of the area of the state to be served and provides the needed expertise in the area of historic preservation.~~

Section 4. *Section 267.174, Florida Statutes, is repealed.*

Section 5. This act shall take effect July 1, 2008.

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 State; amending s. 15.09, F.S.; eliminating the fee charged by the department for searching of papers or records; amending s. 267.031, F.S.; eliminating the requirement for the establishment of regional offices for the purpose of assisting the department in the delivery of historic preservation services; amending s. 267.173, F.S.; eliminating reference to contracting with the University of West

Florida as a regional office serving a specified area, to conform; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5073** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5083, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5083

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5083, same being:

An act relating to **Education**; deleting salary supplements for National Board for Professional Teaching Standards certification from the definition of "compensation" under the Florida Retirement System; revising provisions relating to norm-referenced tests for purposes of the Corporate Income Tax Credit Scholarship Program; amending provisions relating to regional consortium service organizations; authorizing the Department of Education to appropriate a lesser amount of an incentive grant per school district and eligible member for a specified fiscal year; providing for the future expiration of such provisions; excluding charter school Merit Award Program funds from the calculation of school district administrative fees; revising provisions relating to implementation of maximum class size requirements; deleting certain dual enrollment funding provisions; deleting norm-referenced test requirements under the statewide assessment program; revising provisions relating to the calculation of full-time equivalent membership for dual enrollment instruction; decreasing the value of full-time equivalent membership calculated for students enrolled in an International Baccalaureate course, an Advanced International Certificate of Education course, or an Advanced Placement course who meet certain requirements; deleting provisions relating to the calculation of additional full-time equivalent membership based on completion of high school level algebra courses; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; revising provisions relating to the final calculation of district required local effort; authorizing a district school board to transfer certain categorical funds for academic classroom instruction; requiring the department to report to the Legislature the amounts transferred and the activities for which the funds were expended; requiring a district school board to submit an amendment to the department if the school board transfers funds from its research-based reading instruction allocation; revising provisions relating to the calculation of declining unweighted full-time equivalent students; including the supplemental allocation for juvenile justice education programs in the calculation for allocations to districts for current operation; providing for the future expiration of certain provisions governing the transfer of categorical funds; decreasing the maximum millage a school district may levy against the taxable value for school purposes; authorizing a school district to redirect up to a specified amount of millage if revenues are insufficient to cover payments due under a lease-purchase agreement; revising certain requirements for a school district with respect to expenditure of revenue generated by the district school tax millage; providing for future expiration of such provisions; conforming a cross-reference; providing a deadline for submission of Merit Award Program plans by certain districts; amending provisions relating to the Dale Hickam Excellent Teaching Program; providing that bonuses be provided for up to a certain period; eliminating as authorized expenditures the fee subsidy for National Board for Professional Teaching Standards certification, the portfolio preparation incentive, and the employer's share of Florida Retirement System contributions; deleting provisions to conform; revising provisions for the proration of funds; authorizing a school district to pay a certain percentage of bonuses when insufficient funds are available; requiring a district school board to reuse existing construction documents or design criteria packages if feasible and practical; requiring the use of prototype design and construction under certain circumstances; providing an effective date.

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/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino

Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (492641)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (22) of section 121.021, Florida Statutes, is amended to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(22) "Compensation" means the monthly salary paid a member by his or her employer for work performed arising from that employment.

(a) Compensation shall include:

1. Overtime payments paid from a salary fund.

2. Accumulated annual leave payments.

3. Payments in addition to the employee's base rate of pay if all the following apply:

a. The payments are paid according to a formal written policy that applies to all eligible employees equally;

b. The policy provides that payments shall commence no later than the 11th year of employment;

c. The payments are paid for as long as the employee continues his or her employment; and

d. The payments are paid at least annually.

4. Amounts withheld for tax sheltered annuities or deferred compensation programs, or any other type of salary reduction plan authorized under the Internal Revenue Code.

5. Payments made in lieu of a permanent increase in the base rate of pay, whether made annually or in 12 or 26 equal payments within a 12-month period, when the member's base pay is at the maximum of his or her pay range. When a portion of a member's annual increase raises his or her pay range and the excess is paid as a lump sum payment, such lump sum payment shall be compensation for retirement purposes.

~~6. Effective July 1, 2002, salary supplements made pursuant to s. 1012.72 requiring a valid National Board for Professional Standards certificate, notwithstanding the provisions of subparagraph 3.~~

Section 2. Paragraph (i) of subsection (9) of section 220.187, Florida Statutes is amended to read:

220.187 Credits for contributions to nonprofit scholarship-funding organizations.—

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(i) *Maintain a list of* ~~In accordance with State Board of Education rule, identify and select the~~ nationally norm-referenced tests *identified for purposes of satisfying the testing requirement in subparagraph (8)(c)2. The tests must meet* ~~that are comparable to the norm-referenced provisions of the Florida Comprehensive Assessment Test (FCAT) provided that the FCAT may be one of the tests selected. However, the Department of Education may approve the use of an additional assessment by the school if the assessment meets~~ industry standards of quality *in accordance with State Board of Education rule* ~~and comparability~~.

Section 3. Paragraph (c) is added to subsection (2) of section 1001.451, Florida Statutes, 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 2008-2009 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, 2009.

Section 4. Paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(20) SERVICES.—

(a) 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; 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. 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 500 students. For charter schools with a population of 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). *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 5. Paragraph (b) of subsection (2) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

(2) IMPLEMENTATION.—

(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 *2008-2009* ~~2007-2008~~, the calculation for compliance for each of the 3 grade groupings shall be the average at the school level.

3. For fiscal *year* ~~years 2008-2009,~~ 2009-2010~~,~~ 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.

Section 6. Subsection (2) of section 1007.271, Florida Statutes, is amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and conducts a secondary curriculum pursuant to s. 1003.43. Students enrolled in postsecondary instruction that is not creditable toward the high school diploma shall not be classified as dual enrollments. Students who are eligible for dual enrollment pursuant to this section shall be permitted to enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. Instructional time for such enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 FTE, as provided in s. 1011.61(4). ~~Each semester of instruction that is eligible for high school and postsecondary credit shall be reported by school districts as 75 membership hours for purposes of FTE calculation.~~ Any student so enrolled is exempt from the payment of registration, tuition, and laboratory fees. Vocational-preparatory instruction, college-preparatory instruction, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

Section 7. Paragraph (c) of subsection (3) and subsection (10) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

(c) Develop and implement a student achievement testing program known as the Florida Comprehensive Assessment Test (FCAT) as part of the statewide assessment program to measure reading, writing, science, and mathematics. Other content areas may be included as directed by the commissioner. The assessment of reading and mathematics shall be administered annually in grades 3 through 10. The assessment of writing and science shall be administered at least once at the elementary, middle, and high school levels. The commissioner must document the procedures used to ensure that the versions of the FCAT which are taken by students retaking the grade 10 FCAT are equally as challenging and difficult as the tests taken by students in grade 10 which contain performance tasks. The testing program must be designed so that:

1. The tests measure student skills and competencies adopted by the State Board of Education as specified in paragraph (a). The tests must measure and report student proficiency levels of all students assessed in reading, writing, mathematics, and science. The commissioner shall provide for the tests to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators, assistive technology experts, and the public.

2. The testing program *shall be composed* ~~will include a combination~~ of ~~norm-referenced and~~ criterion-referenced tests *that shall* ~~and include~~, to the extent determined by the commissioner, *include test items* ~~questions~~ that require the student to produce information or perform tasks in such a way that the skills and competencies he or she uses can be measured.

3. Each testing program, whether at the elementary, middle, or high school level, includes a test of writing in which students are required to produce writings that are then scored by appropriate and timely methods.

4. A score is designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

5. Except as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a passing score on the grade 10 assessment test described in this paragraph or attain concordant scores as described in subsection (9) in reading, writing, and mathematics to qualify for a standard high school diploma. The State Board of Education shall designate a passing score for each part of the grade 10 assessment test. In establishing passing scores, the state board shall consider any possible negative impact of the test on minority students. The State Board of Education shall adopt rules which specify the passing scores for the grade 10 FCAT. Any such rules, which have the effect of raising the required passing scores, shall only apply to students taking the grade 10 FCAT for the first time after such rules are adopted by the State Board of Education.

6. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the commissioner. If a student does not participate in the statewide assessment, the district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such instructional accommodations. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of test accommodations for students in exceptional education programs and for students who have limited English proficiency. Accommodations that negate the validity of a statewide assessment are not allowable in the administration of the FCAT. However, instructional accommodations are allowable in the classroom if included in a student's individual education plan. Students using instructional accommodations in the classroom that are not allowable as accommodations on the FCAT may have the FCAT requirement waived pursuant to the requirements of s. 1003.428(8)(b) or s. 1003.43(11)(b).

7. A student seeking an adult high school diploma must meet the same testing requirements that a regular high school student must meet.

8. District school boards must provide instruction to prepare students to demonstrate proficiency in the skills and competencies necessary for successful grade-to-grade progression and high school graduation. If a student is provided with instructional accommodations in the classroom that are not allowable as accommodations in the statewide assessment program, as described in the test manuals, the district must

inform the parent in writing and must provide the parent with information regarding the impact on the student's ability to meet expected proficiency levels in reading, writing, and math. The commissioner shall conduct studies as necessary to verify that the required skills and competencies are part of the district instructional programs.

9. District school boards must provide opportunities for students to demonstrate an acceptable level of performance on an alternative standardized assessment approved by the State Board of Education following enrollment in summer academies.

10. The Department of Education must develop, or select, and implement a common battery of assessment tools that will be used in all juvenile justice programs in the state. These tools must accurately measure the skills and competencies established in the Sunshine State Standards.

11. For students seeking a special diploma pursuant to s. 1003.438, the Department of Education must develop or select and implement an alternate assessment tool that accurately measures the skills and competencies established in the Sunshine State Standards for students with disabilities under s. 1003.438.

The commissioner may, based on collaboration and input from school districts, design and implement student testing programs, for any grade level and subject area, necessary to effectively monitor educational achievement in the state, including the measurement of educational achievement of the Sunshine State Standards for students with disabilities. Development and refinement of assessments shall include universal design principles and accessibility standards that will prevent any unintended obstacles for students with disabilities while ensuring the validity and reliability of the test. These principles should be applicable to all technology platforms and assistive devices available for the assessments. The field testing process and psychometric analyses for the statewide assessment program must include an appropriate percentage of students with disabilities and an evaluation or determination of the effect of test items on such students.

(10) REPORTS.—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the following:

(a) Longitudinal performance of students in mathematics and reading.

(b) Longitudinal performance of students by grade level in mathematics and reading.

(c) Longitudinal performance regarding efforts to close the achievement gap.

~~(d) Longitudinal performance of students on the norm-referenced component of the FCAT.~~

(d)~~(e)~~ Other student performance data based on national norm-referenced and criterion-referenced tests, when available, and numbers of students who after 8th grade enroll in adult education rather than other secondary education.

Section 8. Paragraphs (i) and (l) through (v) of subsection (1), paragraph (b) of subsection (4), and subsections (6) and (8) of section 1011.62, Florida Statutes, as amended by chapter 2007-328, Laws of Florida, are amended, subsections (10) and (11) of that section are amended and renumbered as subsections (11) and (12), respectively, and a new subsection (10) 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:

(i) Calculation of full-time equivalent membership with respect to dual enrollment instruction.—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. *Instructional time for dual enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 full-time equivalent student membership, as provided in s. 1011.61(4). Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district.* ~~Each semester of instruction that is eligible for high school and postsecondary credit shall be reported by school districts as 75 membership hours for purposes of FTE calculation. Such~~ Students *in dual enrollment courses* may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a community college or university conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or university and may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. However, those provisions of law which exempt dual enrolled and early admission students from payment of instructional materials and tuition and fees, including laboratory fees, shall not apply to students who select the option of enrolling in an eligible independent institution. An independent college or university which is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and ~~which~~ confers degrees as defined in s. 1005.02 shall be eligible for inclusion in the dual enrollment or early admission program. Students enrolled in dual enrollment instruction shall be exempt from the payment of tuition and fees, including laboratory fees. No student enrolled in college credit mathematics or English dual enrollment instruction shall be funded as a dual enrollment unless the student has successfully completed the relevant section of the entry-level examination required pursuant to s. 1008.30.

(l) Calculation of additional full-time equivalent membership based on international baccalaureate examination scores of students.—A value of *0.16* ~~0.24~~ 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. 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.

(m) Calculation of additional full-time equivalent membership based on Advanced International Certificate of Education examination scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student enrolled in a full-credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination. A value of *0.08* ~~0.12~~ full-time equivalent student membership shall be calculated for each student enrolled in a half-credit Advanced International Certificate of Education course who receives a score of E 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 Advanced International Certificate of Education 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. The school district shall distribute to each classroom teacher who provided Advanced International Certificate of Education instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced International Certificate of Education teacher in each full-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination. A bonus in the amount of $25 for each student taught by the Advanced International Certificate of Education teacher in each half-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination.

2. An additional bonus of $500 to each Advanced International Certificate of Education teacher in a school designated with a grade of "D" or "F" who has at least one student scoring E or higher on the full-credit Advanced International Certificate of Education examination, regardless of the number of classes taught or of the number of students scoring an E or higher on the full-credit Advanced International Certificate of Education examination.

3. Additional bonuses of $250 each to teachers of half-credit Advanced International Certificate of Education classes in a school designated with a grade of "D" or "F" which has at least one student scoring an E or higher on the half-credit Advanced International Certificate of Education examination in that class. The maximum additional bonus for a teacher awarded in accordance with this subparagraph shall not exceed $500 in any given school year. Teachers receiving an award under subparagraph 2. are not eligible for a bonus under this subparagraph.

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.

(n) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of $500 to each Advanced Placement teacher in a school designated with a grade of "D" or " F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement 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.

~~(o) Calculation of additional full-time equivalent membership based on completion of high school level algebra courses by students in grades 6 through 8.—A value of 0.088 full-time equivalent student membership shall be calculated for each student in grades 6 through 8 who completes a high school level algebra course and receives a grade of C or better. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 6 through 8. Each district must allocate the funds provided to the district for students in grades 6 through 8 who complete a high school level algebra course and receive a grade of C or better to the school that generated the funds.~~

~~(p) Calculation of supplemental allocation for juvenile justice education programs.—Beginning with the 2007-2008 General Appropriations Act, the total K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the district's cost differential. An amount equal to the sum of this calculation shall be allocated in the FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.~~

(o)~~(q)~~ Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to s. 1003.492.—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 s. 1003.492 and who is issued *the highest level of* ~~an~~ industry *certification and a high school diploma* ~~certificate~~. 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.* Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to *$15* ~~$30~~ million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

(p)~~(r)~~ Calculation of additional full-time equivalent membership for the Florida Virtual School.—The total reported full-time equivalent student membership for the Florida Virtual School shall be multiplied by 0.114, and such value shall be added to the total full-time equivalent student membership.

(q)~~(s)~~ Year-round-school programs.—The Commissioner of Education is authorized to adjust student eligibility definitions, funding criteria, and reporting requirements of statutes and rules in order that year-round-school programs may achieve equivalent application of funding requirements with non-year-round-school programs.

(r)~~(t)~~ Extended-school-year program.—It is the intent of the Legislature that students be provided additional instruction by extending the school year to 210 days or more. Districts may apply to the Commissioner of Education for funds to be used in planning and implementing an extended-school-year program. The Department of Education shall recommend to the Legislature the policies necessary for full implementation of an extended school year.

(s)~~(u)~~ Determination of the basic amount for current operation.—The basic amount for current operation to be included in the Florida Education Finance Program for kindergarten through grade 12 for each district shall be the product of the following:

1. The full-time equivalent student membership in each program, multiplied by

2. The cost factor for each program, adjusted for the maximum as provided by paragraph (c), multiplied by

3. The base student allocation.

(t)~~(v)~~ Computation for funding through the Florida Education Finance Program.—The State Board of Education may adopt rules establishing programs and courses for which the student may earn credit toward high school graduation.

(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:

(b) Final calculation.—

1. *The taxable value for school purposes certified by the Department of Revenue which is used in the fourth calculation with the annualized full-time student membership from the February student survey shall be the final taxable value used in the final calculation.* ~~On September 1 of each year, the Department of Revenue shall certify to the Commissioner of Education the total of the prior year final taxable value for school purposes in each school district and the total for all school districts in the state. The commissioner shall use the final taxable value certified on September 1 for school purposes for each school district in the final calculation of the annual Florida Education Finance Program allocations.~~

2. For purposes of this paragraph, the final taxable value for school purposes shall be the taxable value for school purposes on which the tax bills are computed and mailed to the taxpayers, adjusted to reflect final administrative actions of value adjustment boards and judicial decisions pursuant to chapter 194. For each county that has not submitted a revised tax roll reflecting final value adjustment board actions and final judicial decisions, the Department of Revenue shall certify the most recent revision of the taxable value for school purposes. The value certified *under subparagraph 1.* ~~on September 1~~ shall be the final taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraph *(12)*~~(11)~~(b).

(6) CATEGORICAL FUNDS.—

(a) In addition to the basic amount for current operations for the FEFP as determined in subsection (1), the Legislature may appropriate categorical funding for specified programs, activities, or purposes.

(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 have been completed for that fiscal year, but no sooner than March 1, 2009.

(c) Each district school board shall include in its annual financial report to the Department of Education the amount of funds the school board transferred from each of the categorical funds identified in this subsection and the specific academic classroom instruction for which the transferred funds were expended. The Department of Education shall provide instructions and specify the format to be used in submitting this required information as a part of the district annual financial report. *The Department of Education shall submit a report to the Legislature that identifies by district and by categorical fund the amount transferred and the specific academic classroom activity for which the funds were expended.*

(d) If a district school board transfers funds from its research-based reading instruction allocation, the board must also submit to the Department of Education an amendment describing the changes that the district is making to its reading plan approved pursuant to paragraph (9)(d).

(8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—In those districts where there is a decline between prior year and current year unweighted FTE students, *a percentage* ~~50 percent~~ of the decline in the unweighted FTE students *as determined by the Legislature* shall be multiplied by the prior year calculated FEFP per unweighted FTE student and shall be added to the allocation for that district. For this purpose, the calculated FEFP shall be computed by multiplying the weighted FTE students by the base student allocation and then by the district cost differential. If a district transfers a program to another institution not under the authority of the district's school board, including a charter technical career center, the decline is to be multiplied by a factor of 0.15. However, if the funds provided for the Florida Education Finance Program in the General Appropriations Act for any fiscal year are reduced by a subsequent appropriation for that fiscal year, the percent of the decline in the unweighted FTE students to be funded shall be determined by the Legislature and designated in the subsequent appropriation.

(10) CALCULATION OF SUPPLEMENTAL ALLOCATION FOR JUVENILE JUSTICE EDUCATION PROGRAMS.—The total K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the district's cost differential. An amount equal to the sum of this calculation shall be allocated in the FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.

(11)~~(10)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection *(12)* ~~(11)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection *(12)* ~~(11)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(12)~~(11)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(a) The basic amount for current operation for the FEFP as determined in subsection (1), multiplied by the district cost differential factor as determined in subsection (2), plus the amounts provided for categorical components within the FEFP, plus the discretionary millage compression supplement as determined in subsection (5), the amount for the sparsity supplement as determined in subsection (7), the decline in full-time equivalent students as determined in subsection (8), the research-based reading instruction allocation as determined in subsection (9), *the allocation for juvenile justice education programs as determined in subsection (10),* ~~and~~ the quality assurance guarantee as determined in subsection *(11)* ~~(10)~~, less the required local effort as determined in subsection (4). If the funds appropriated for the purpose of funding the total amount for current operation as provided in this paragraph are not sufficient to pay the state requirement in full, the department shall prorate the available state funds to each district in the following manner:

1. Determine the percentage of proration by dividing the sum of the total amount for current operation, as provided in this paragraph for all districts collectively, and the total district required local effort into the sum of the state funds available for current operation and the total district required local effort.

2. Multiply the percentage so determined by the sum of the total amount for current operation as provided in this paragraph and the required local effort for each individual district.

3. From the product of such multiplication, subtract the required local effort of each district; and the remainder shall be the amount of state funds allocated to the district for current operation.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

(c) The amount thus obtained shall represent the net annual state allocation to each district; however, notwithstanding any of the provisions herein, each district shall be guaranteed a minimum level of fund-

ing in the amount and manner prescribed in the General Appropriations Act.

Section 9. *The amendments to s. 1011.62(6), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, 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 that expire pursuant to this section.*

Section 10. Section 1011.71, Florida Statutes, as amended by chapters 2007-328 and 2008-2, Laws of Florida, is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62*(12)*~~(11)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than *1.75 mills* ~~2 mills~~ against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:

(a) New construction and remodeling projects, as set forth in s. 1013.64(3)(b) and (6)(b) and included in the district's educational plant survey pursuant to s. 1013.31, without regard to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.

(b) Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2).

(c) The purchase, lease-purchase, or lease of school buses.

(d) The purchase, lease-purchase, or lease of new and replacement equipment.

(e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection.

(f) Payment of loans approved pursuant to ss. 1011.14 and 1011.15.

(g) Payment of costs directly related to complying with state and federal environmental statutes, rules, and regulations governing school facilities.

(h) Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).

(i) Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirements of this paragraph.

1. The district's contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet the requirements of s. 1006.25.

2. Each such school bus must be used for the daily transportation of public school students in the manner required by the school district.

3. Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.

4. The proposed expenditure of the funds for this purpose must have been included in the district school board's notice of proposed tax for school capital outlay as provided in s. 200.065(10).

(j) Payment of the cost of the opening day collection for the library media center of a new school.

(3) If the revenue from the millage authorized in subsection (2) is insufficient to make payments due under a lease-purchase agreement entered into prior to June 30, 2008, by a district school board pursuant to paragraph (2)(e), an amount up to 0.25 mills of the taxable value for school purposes within the school district shall be legally available for such payments, notwithstanding other restrictions on the use of such revenues imposed by law.

(4)~~(3)~~ A school district that has met the reduction requirements regarding class size for the *2008-2009 fiscal* ~~current~~ year pursuant to s. 1003.03 *for K-12 students for whom the school district provides the educational facilities*~~, has received an unqualified opinion on its financial statements for the preceding 3 years, has no material weaknesses or instances of material noncompliance noted in an audit for the preceding 3 years,~~ and certifies to the Commissioner of Education that *the district does not need all of its discretionary 1.75-mill capital improvement revenue for capital outlay purposes and* all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive during the next 5 years from local revenues and from currently appropriated state facilities funding or from alternative scheduling or construction, leasing, rezoning, or technological methodologies that exhibit sound management may expend*, subject to the provisions of s. 200.065, up to $65 per unweighted full-time equivalent student from the* revenue generated by the *2008-2009* millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), *2008-2009 expenses for* the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

(5)~~(4)~~ Violations of the expenditure provisions in subsection (2) or subsection *(4)* ~~(3)~~ shall result in an equal dollar reduction in the Florida Education Finance Program (FEFP) funds for the violating district in the fiscal year following the audit citation.

(6)~~(5)~~ These taxes shall be certified, assessed, and collected as prescribed in s. 1011.04 and shall be expended as provided by law.

(7)~~(6)~~ Nothing in s. 1011.62(4)(a)1. shall in any way be construed to increase the maximum school millage levies as provided for in subsection (1).

(8)~~(7)~~ In addition to the maximum millage levied under this section and the General Appropriations Act, a school district may levy, by local referendum or in a general election, additional millage for school operational purposes up to an amount that, when combined with nonvoted millage levied under this section, does not exceed the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Any such levy shall be for a maximum of 4 years and shall be counted as part of the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Millage elections conducted under the authority granted pursuant to this section are subject to s. 1011.73. Funds generated by such additional millage do not become a part of the calculation of the Florida Education Finance Program total potential funds in 2001-2002 or any subsequent year and must not be incorporated in the calculation of any hold-harmless or other component of the Florida Education Finance Program formula in any year. If an increase in required local effort, when added to existing millage levied under the 10-mill limit, would result in a combined millage in excess of the 10-mill limit, any millage levied pursuant to this

subsection shall be considered to be required local effort to the extent that the district millage would otherwise exceed the 10-mill limit.

Section 11. *The amendments to subsection (3) of s. 1011.71, Florida Statutes, renumbered as subsection (4) by this act, shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, 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 that expire pursuant to this section.*

Section 12. 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*(8)*~~(7)~~. 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 13. Paragraph (e) is added to subsection (5) of section 1012.225, Florida Statutes, to read:

1012.225 Merit Award Program for Instructional Personnel and School-Based Administrators.—

(5) REVIEW OF PERFORMANCE-BASED PAY PLANS.—

(e) Districts that do not have an approved plan for the 2008-2009 school year may submit a plan for the 2008-2009 school year by October 1, 2008.

Section 14. Section 1012.72, Florida Statutes, as amended by chapter 2007-328, Laws of Florida, is amended to read:

1012.72 Dale Hickam Excellent Teaching Program.—

(1) The Legislature recognizes that teachers play a critical role in preparing students to achieve the high levels of academic performance expected by the Sunshine State Standards. The Legislature further recognizes the importance of identifying and rewarding teaching excellence and of encouraging good teachers to become excellent teachers. The Legislature finds that the National Board *for* ~~of~~ Professional Teaching Standards (NBPTS) has established high and rigorous standards for accomplished teaching and has developed a national voluntary system for assessing and certifying teachers who demonstrate teaching excellence by meeting those standards. It is therefore the Legislature's intent ~~to provide incentives for teachers to seek NBPTS certification and~~ to reward teachers who demonstrate teaching excellence by attaining NBPTS certification and sharing their expertise with other teachers.

(2) The Dale Hickam Excellent Teaching Program is created to provide categorical funding for ~~monetary incentives and~~ bonuses for teaching excellence. *The bonuses may be provided for initial certification for up to one 10-year period.* The Department of Education shall distribute to each school district ~~or to the NBPTS~~ an amount as prescribed annually by the Legislature for the Dale Hickam Excellent Teaching Program. For purposes of this section, the Florida School for the Deaf and the Blind shall be considered a school district. Unless otherwise provided in the General Appropriations Act, each distribution shall be the sum of the amounts earned for the following ~~incentives and bonuses~~:

~~(a) A fee subsidy to be paid by the Department of Education to the NBPTS on behalf of each individual who is an employee of a district school board or a public school within the school district, who is certified by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34 and who satisfies the prerequisites for participating in the NBPTS certification program, and who agrees, in writing, to pay 10 percent of the NBPTS participation fee and to participate in the NBPTS certification program during the school year for which the fee subsidy is provided. The fee subsidy for each eligible participant shall be an amount equal to 90 percent of the fee charged for participating in the NBPTS certification program. The fee subsidy is a one-time award and may not be duplicated for any individual.~~

~~(b) A portfolio preparation incentive of $150 paid by the Department of Education to each teacher employed by a district school board or a public school within a school district who is participating in the NBPTS certification program. The portfolio preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.~~

(a)~~(c)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who holds NBPTS certification and is employed by the district school board or by a public school within the school district. The district school board shall distribute the annual bonus to each individual who meets the requirements of this paragraph and who is certified annually by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34. The annual bonus may be paid as a single payment or divided into not more than three payments.

(b)~~(d)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who meets the requirements of paragraph *(a)* ~~(c)~~ and agrees, in writing, to provide the equivalent of 12 workdays of mentoring and related services to public school teachers within the state who do not hold NBPTS certification. Related services must include instruction in helping teachers work more effectively with the families of their students. The district school board shall distribute the annual bonus in a single payment following the completion of all required mentoring and related services for the year. It is not the intent of the Legislature to remove excellent teachers from their assigned classrooms; therefore, credit may not be granted by a school district or public school for mentoring or related services provided during student contact time during the 196 days of required service for the school year.

(c)~~(e)~~ The employer's share of social security and Medicare taxes ~~and Florida Retirement System contributions~~ for those teachers who ~~qualify for NBPTS certification and~~ receive bonus amounts *under paragraph (a) or paragraph (b)*.

~~A teacher for whom the state pays the certification fee and who does not complete the certification program or does not teach in a public school of this state for at least 1 year after completing the certification program must repay the amount of the certification fee to the state. However, a teacher who completes the certification program but fails to be awarded NBPTS certification is not required to repay the amount of the certification fee if the teacher meets the 1-year teaching requirement. Repayment is not required of a teacher who does not complete the certification program or fails to fulfill the teaching requirement because of the teacher's death or disability or because of other extenuating circumstances as determined by the State Board of Education.~~

~~(3)(a) In addition to any other remedy available under the law, any person who is a recipient of a certification fee subsidy paid to the NBPTS and who is an employee of the state or any of its political subdivisions is considered to have consented, as a condition of employment, to the voluntary or involuntary withholding of wages to repay to the state the amount of such a certification fee subsidy awarded under this section. Any such employee who defaults on the repayment of such a certification fee subsidy must, within 60 days after service of a notice of default by the Department of Education to the employee, establish a repayment schedule which must be agreed to by the department and the employee, for repaying the defaulted sum through payroll deductions. The department may not require the employee to pay more than 10 percent of the employee's pay per pay period under such a repayment schedule or plan. If the employee fails to establish a repayment schedule within the specified period of time or fails to meet the terms and conditions of the agreed upon or approved repayment schedule as authorized by this subsection, the employee has breached an essential condition of employment and is considered to have consented to the involuntary withholding of wages or salary for the repayment of the certification fee subsidy.~~

~~(b) A person who is employed by the state, or any of its political subdivisions, may not be dismissed for having defaulted on the repayment of the certification fee subsidy to the state.~~

~~(4) The State Board of Education may adopt rules pursuant to ss. 120.536 and 120.54 as necessary to administer the provisions for payment of the fee subsidies, incentives, and bonuses and for the repayment of defaulted certification fee subsidies under this section.~~

(3)~~(5)~~ If the funds available in any fiscal year are insufficient to pay in full the annual bonuses for certification and for providing mentoring and related services, payments for providing mentoring and related services shall be prorated among the eligible recipients. *If the mentoring and related services are prorated, school districts may pay a portion or all of the balance. If funds are insufficient to pay in full the annual bonuses for certification, payments of bonuses for certification shall be prorated among the eligible recipients.*

Section 15. Subsection (4) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques.—

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than $50,000 or for the placement or hookup of relocatable educational facilities that conform with standards adopted under s. 1013.37. However, boards must provide compliance with building code requirements and ensure that these structures are adequately anchored for wind resistance as required by law. *A district school board shall* ~~Boards are encouraged to consider the~~ reuse ~~of~~ existing construction documents or design criteria packages *if* ~~where~~ such reuse is feasible and practical. *If a school district's 5-year educational facilities work plan includes the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school, the district school board shall require that prototype design and construction be used for the construction of these schools.* Notwithstanding s. 287.055, a board may purchase the architectural services for the design of educational or ancillary facilities under an existing contract agreement for professional services held by a district school board in the State of Florida, provided that the purchase is to the economic advantage of the purchasing board, the services conform to the standards prescribed by rules of the State Board of Education, and such reuse is not without notice to, and permission from, the architect of record whose plans or design criteria are being reused. Plans shall be reviewed for compliance with the state requirements for educational facilities. Rules adopted under this section must establish uniform prequalification, selection, bidding, and negotiation procedures applicable to construction management contracts and the design-build process. This section does not supersede any small, woman-owned or minority-owned business enterprise preference program adopted by a board. Except as otherwise provided in this section, the negotiation procedures applicable to construction management contracts and the design-build process must conform to the requirements of s. 287.055. A board may not modify any rules regarding construction management contracts or the design-build process.

Section 16. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to education; amending s. 121.021, F.S.; deleting salary supplements for National Board for Professional Teaching Standards certification from the definition of "compensation" under the Florida Retirement System; amending s. 220.187, F.S.; revising provisions relating to norm-referenced tests for purposes of the Corporate Income Tax Credit Scholarship Program; amending s. 1001.451, F.S., relating to regional consortium service organizations; authorizing the Department of Education to appropriate a lesser amount of an incentive grant per school district and eligible member for a specified fiscal year; providing for the future expiration of such provisions; amending s. 1002.33, F.S.; excluding charter school Merit Award Program funds from the calculation of school district administrative fees; amending s. 1003.03, F.S.; revising provisions relating to implementation of maximum class size requirements; amending s. 1007.271, F.S.; deleting certain dual enrollment funding provisions; amending s. 1008.22, F.S.; deleting norm-referenced test requirements under the statewide assessment program; amending s. 1011.62, F.S.; revising provisions relating to the calculation of full-time equivalent membership for dual enrollment instruction; decreasing the value of full-time equivalent membership calculated for students enrolled in an International Baccalaureate course, an Advanced International Certificate of Education course, or an Advanced Placement course who meet certain requirements; deleting provisions relating to the calculation of additional full-time equivalent membership based on completion of high school level algebra courses; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; revising provisions relating to the final calculation of district required local effort; authorizing a district school board to transfer certain categorical funds for academic classroom instruction; requiring the department to report to the Legislature the amounts transferred and the activities for which the funds were expended; requiring a district school board to submit an amendment to the department if the school board transfers funds from its research-based reading instruction allocation; revising provisions relating to the calculation of declining unweighted full-time equivalent students; including the supplemental allocation for juvenile justice education programs in the calculation for allocations to districts for current operation; providing for the future expiration of certain provisions governing the transfer of categorical funds; amending s. 1011.71, F.S.; decreasing the maximum millage a school district may levy against the taxable value for school purposes; authorizing a school district to redirect up to a specified amount of millage if revenues are insufficient to cover payments due under a lease-purchase agreement; revising certain requirements for a school district with respect to expenditure of revenue generated by the district school tax millage; providing for future expiration of such provisions; amending s. 1011.73, F.S.; conforming a cross-reference; amending s. 1012.225, F.S.; providing a deadline for submission of Merit Award Program plans by certain districts; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; providing that bonuses be provided for up to a certain period; eliminating as authorized expenditures the fee subsidy for National Board for Professional Teaching Standards certification, the portfolio preparation incentive, and the employer's share of Florida Retirement System contributions; deleting provisions to conform; revising provisions for the proration of funds; authorizing a school district to pay a certain percentage of bonuses when insufficient funds are available; amending s. 1013.45, F.S.; requiring a district school board to reuse existing construction documents or design criteria packages if feasible and practical; requiring the use of prototype design and construction under certain circumstances; providing an effective date.

The Conference Committee Report was read and on motion by Senator Wise was adopted. **HB 5083** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—28

Mr. President	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Bullard	Haridopolos	Storms
Carlton	Jones	Villalobos
Constantine	King	Webster
Dawson	Lawson	Wise
Dean	Lynn	
Diaz de la Portilla	Oelrich	

Nays—9

Alexander	Hill	Margolis
Aronberg	Joyner	Rich
Deutch	Justice	Ring

Vote after roll call:

Nay—Crist, Geller, Wilson

Yea to Nay—Dockery

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5085, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5085

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5085, same being:

An act relating to **Health Care**; authorizing the Agency for Health Care Administration to transfer funds to the Grants and Donations Trust Fund for certain repayments; revising the short title; providing additional legislative intent; requiring the agency to develop a procurement document and procedure to claim certain federal matching funds; discontinuing optional Medicaid payments for certain persons age 65 or over or who are blind or disabled; revising certain eligibility criteria for pregnant women and children younger than age 21; authorizing payment of a specified amount for Medicaid services provided by an anesthesiologist assistant; deleting a provision prohibiting Medicaid from making any payment toward deductibles and coinsurance for services not covered by Medicaid; providing limitations on Medicaid payments for coinsurance; providing for Medicaid to pay for certain X-ray services in a nursing home; revising reimbursement rates for providers of Medicaid prescribed drugs; requiring the agency to revise reimbursement rates for hospitals, nursing homes, county health departments, and community intermediate care facilities for the developmentally disabled for 2 fiscal years; requiring the agency to apply the effect of the revised reimbursement rates to set payment rates for managed care plans and nursing home diversion programs; requiring the agency to establish workgroups to evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans; requiring a report; providing for future repeal of the suspension of the use of cost data to set certain rates; revising the share data used to calculate disproportionate share payments to hospitals; revising the time period during which the agency is prohibited from distributing disproportionate share payments to regional perinatal intensive care centers; requiring the agency to distribute moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program for the 2008-2009 fiscal year; prohibiting the agency from distributing moneys under the primary care disproportionate share program for the 2008-2009 fiscal year; adding a county for participation in the Medicaid behavioral health care services specialty prepaid plan; revising reimbursement rates to pharmacies for Medicaid prescribed drugs; requiring the agency to notify the Legislature before seeking an amendment to the state plan in order to implement programs authorized by the Deficit Reduction Act of 2005; providing for proposed alternatives for health and long-term care reforms; revising enrollment requirements relating to Medicaid managed care programs and the agency's authority to assign persons to MediPass or a managed care plan; removing the limitation on the application of certain rates and rate reductions used by the agency to reimburse managed care plans; prohibiting mailing of the explanation of benefits for certain Medicaid services; repealing s. 409.9061, F.S., relating to authority for a statewide laboratory services contract; repealing s. 430.83, F.S., relating to the Sunshine for Seniors 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/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (100637)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. 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 Health Care Trust Fund and shall be accounted for separately as a Medicaid nursing home overpayment account. These fees shall be used at the sole discretion of the agency to repay nursing home Medicaid overpayments. *The agency is authorized to transfer funds to the Grants and Donations Trust Fund for such repayments.* Payment of this fee shall not release the licensee from any liability for any Medicaid overpayments, nor shall payment bar the agency from seeking to recoup overpayments from the licensee and any other liable party. As a condition of exercising this lease bond alternative, licensees paying this fee must maintain an existing lease bond through the end of the 30-month term period of that bond. The agency is herein granted specific authority to promulgate all rules pertaining to the administration and management of this account, including withdrawals from the account, subject to federal review and approval. This provision shall take effect upon becoming law and shall apply to any leasehold license application. The financial viability of the Medicaid nursing home overpayment account shall be determined by the agency through annual review of the account balance and the amount of total outstanding, unpaid Medicaid overpayments owing from leasehold licensees to the agency as determined by final agency audits.

3. The leasehold licensee may meet the bond requirement through other arrangements acceptable to the agency. The agency is herein granted specific authority to promulgate rules pertaining to lease bond arrangements.

4. All existing nursing facility licensees, operating the facility as a leasehold, shall acquire, maintain, and provide proof to the agency of the 30-month bond required in subparagraph 1., above, on and after July 1, 1993, for each license renewal.

5. It shall be the responsibility of all nursing facility operators, operating the facility as a leasehold, to renew the 30-month bond and to provide proof of such renewal to the agency annually.

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 2. Section 409.017, Florida Statutes, is amended to read:

409.017 ~~Local Funding~~ Revenue Maximization Act; legislative intent; revenue maximization program.—

(1) SHORT TITLE.—This section may be cited as the "~~Local Funding~~ Revenue Maximization Act."

(2) LEGISLATIVE INTENT.—

(a) The Legislature recognizes that state funds do not fully utilize federal funding matching opportunities for health and human services needs. It is the intent of the Legislature to authorize the use of certified local funding for federal matching programs to the fullest extent possible to maximize federal funding of local preventive services and local child development programs in this state. To that end, the Legislature expects that state agencies will take a proactive approach in implementing this legislative priority. It is the further intent of the Legislature that this act shall be revenue neutral with respect to state funds.

(b) It is the intent of the Legislature that revenue maximization opportunities using certified local funding shall occur only after available state funds have been utilized to generate matching federal funding for the state.

(c) It is the intent of the Legislature that participation in revenue maximization is to be voluntary for local political subdivisions.

(d) Except for funds expended pursuant to Title XIX of the Social Security Act, it is the intent of the Legislature that certified local funding for federal matching programs not supplant or replace state funds. Beginning July 1, 2004, any state funds supplanted or replaced with local tax revenues for Title XIX funds shall be expressly approved in the General Appropriations Act or by the Legislative Budget Commission pursuant to chapter 216.

(e) It is the intent of the Legislature that revenue maximization shall not divert existing funds from state agencies that are currently using local funds to maximize matching federal and state funds to the greatest extent possible.

(f) It is the intent of the legislature to encourage and allow any agency to engage, through a competitive procurement process, an entity with expertise in claiming justifiable and appropriate federal funds through revenue maximization efforts both retrospectively and prospectively. This claiming may include, but not be limited to, administrative and services activities that are eligible under federal matching programs.

(3) REVENUE MAXIMIZATION PROGRAM.—

(a) For purposes of this section, the term "agency" means any state agency or department that is involved in providing health, social, or human services, including, but not limited to, the Agency for Health Care Administration, the Agency for Workforce Innovation, the Department of Children and Family Services, the Department of Elderly Affairs, the Department of Juvenile Justice, *the Department of Education,* and the State Board of Education.

(b) The Agency for Health Care Administration may develop a procurement document and procedure to claim administrative federal matching funds for state provided educational services. The agency shall then competitively procure an entity with appropriate expertise and experience to retrospectively and prospectively maximize federal revenues through administrative claims for federal matching funds for state provided educational services.

(c)~~(b)~~ Each agency shall establish programs and mechanisms designed to maximize the use of local funding for federal programs in accordance with this section.

(d)~~(c)~~ The use of local matching funds under this section must be limited to public revenue funds of local political subdivisions, including, but not limited to, counties, municipalities, and special districts. To the extent permitted by federal law, funds donated to such local political subdivisions by private entities, such as, but not limited to, the United Way, community foundations or other foundations, and businesses, or by individuals are considered to be public revenue funds available for matching federal funding.

(e)~~(d)~~ Subject to paragraph *(g)* ~~(f)~~, any federal reimbursement received as a result of the certification of local matching funds must, unless specifically prohibited by federal law or state law, including the General Appropriations Act, and subject to the availability of specific appropriation and release authority, be returned within 30 days after receipt by the agency by the most expedient means possible to the local political subdivision providing such funding, and the local political subdivision must be provided an annual accounting of federal reimbursements received by the state or its agencies as a result of the certification of the local political subdivision's matching funds. The receipt by a local political subdivision of such matching funds must not in any way influence or be used as a factor in developing any agency's annual operating budget allocation methodology or formula or any subsequent budget amendment allocations or formulas. If necessary, agreements must be made between an agency and the local political subdivision to accomplish that purpose. Such an agreement may provide that the local political subdivision must: verify the eligibility of the local program or programs and the individuals served thereby to qualify for federal matching funds; shall develop and maintain the financial records necessary for documenting the appropriate use of federal funds; shall comply with all applicable state and federal laws, regulations, and rules that regulate such federal services; and shall reimburse the cost of any disallowance of federal funding previously provided to a local political subdivision resulting from the failure of that local political subdivision to comply with applicable state or federal laws, rules, or regulations.

(f)~~(e)~~ Each agency, as applicable, shall work with local political subdivisions to modify any state plans and to seek and implement any federal waivers necessary to implement this section. If such modifications or waivers require the approval of the Legislature, the agency, as applicable, shall draft such legislation and present it to the President of the Senate and the Speaker of the House of Representatives and to the respective committee chairs of the Senate and the House of Representatives by January 1, 2004, and, as applicable, annually thereafter.

(g)~~(f)~~ Each agency, as applicable, before funds generated under this section are distributed to any local political subdivision, may deduct the actual administrative cost for implementing and monitoring the local match program; however, such administrative costs may not exceed 5 percent of the total federal reimbursement funding to be provided to the local political subdivision under paragraph *(e)* ~~(d)~~. To the extent that any other provision of state law applies to the certification of local matching funds for a specific program, the provisions of that statute which relate to administrative costs apply in lieu of the provisions of this paragraph. The failure to remit reimbursement to the local political subdivision will result in the payment of interest, in addition to the amount to be reimbursed at a rate pursuant to s. 55.03(1) on the unpaid amount from the expiration of the 30-day period until payment is received.

(h)~~(g)~~ Each agency, respectively, shall annually submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives, no later than January 1, a report that documents the specific activities undertaken during the previous fiscal year under this section. The report must include, but is not limited to, a statement of the total amount of federal matching funds generated by local matching funds under this section, reported by federal funding source; the total amount of block grant funds expended during the previous fiscal year, reported by federal funding source; the total amount for federal matching fund programs, including, but not limited to, Temporary Assistance for Needy Families and Child Care and Development Fund, of unobligated funds and unliquidated funds, both as of the close of the previous federal fiscal year; the amount of unliquidated funds that is in danger of being returned to the Federal Government at the end of the current federal fiscal year; and a detailed plan and timeline for spending any unobligated and unliquidated funds by the end of the current federal fiscal year.

Section 3. 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)~~(a) From July 1, 2005, through December 31, 2005, a person who is age 65 or older or is determined to be disabled, whose income is at or below 88 percent of federal poverty level, and whose assets do not exceed established limitations.~~

~~(b)~~ 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, 2009.*

(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 subsection expires June 30, 2009.*

(b) Effective July 1, 2009, 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 4. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(26) ANESTHESIOLOGIST ASSISTANT SERVICES.—The agency may pay for all services provided to a recipient by an anesthesiologist assistant licensed under s. 458.3475 or s. 459.023. Reimbursement for such services must be not less than 80 percent of the reimbursement that would be paid to a physician who provided the same services.

Section 5. Subsections (13) and (14) of section 409.908, Florida Statutes, as amended by chapter 2007-331, Laws of Florida, are amended, and subsection (23) is added to that section, 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.

(13) Medicare premiums for persons eligible for both Medicare and Medicaid coverage shall be paid at the rates established by Title XVIII of the Social Security Act. For Medicare services rendered to Medicaid-eligible persons, Medicaid shall pay Medicare deductibles and coinsurance as follows:

~~(a) Medicaid shall make no payment toward deductibles and coinsurance for any service that is not covered by Medicaid.~~

(a)~~(b)~~ Medicaid's financial obligation for deductibles and coinsurance payments shall be based on Medicare allowable fees, not on a provider's billed charges.

(b)~~(c)~~ Medicaid will pay no portion of Medicare deductibles and coinsurance when payment that Medicare has made for the service equals or exceeds what Medicaid would have paid if it had been the sole payor. The combined payment of Medicare and Medicaid shall not exceed the amount Medicaid would have paid had it been the sole payor. The Legislature finds that there has been confusion regarding the reimbursement for services rendered to dually eligible Medicare beneficiaries. Accordingly, the Legislature clarifies that it has always been the intent of the Legislature before and after 1991 that, in reimbursing in accordance with fees established by Title XVIII for premiums, deductibles, and coinsurance for Medicare services rendered by physicians to Medicaid eligible persons, physicians be reimbursed at the lesser of the amount billed by the physician or the Medicaid maximum allowable fee established by the Agency for Health Care Administration, as is permitted by federal law. It has never been the intent of the Legislature with regard to such services rendered by physicians that Medicaid be required to provide any payment for deductibles, coinsurance, or copayments for Medicare cost sharing, or any expenses incurred relating thereto, in excess of the payment amount provided for under the State Medicaid plan for such service. This payment methodology is applicable even in those situations in which the payment for Medicare cost sharing for a qualified Medicare beneficiary with respect to an item or service is reduced or eliminated. This expression of the Legislature is in clarification of existing law and shall apply to payment for, and with respect to provider agreements with respect to, items or services furnished on or after the effective date of this act. This paragraph applies to payment by Medicaid for items and services furnished before the effective date of this act if such payment is the subject of a lawsuit that is based on the provisions of this section, and that is pending as of, or is initiated after, the effective date of this act.

(c)~~(d)~~ Notwithstanding paragraphs *(a) and (b)* ~~(a)-(c)~~:

1. Medicaid payments for Nursing Home Medicare part A coinsurance *are* ~~shall be~~ limited to the Medicaid nursing home per diem rate less any amounts paid by Medicare, but only up to the amount of Medicare coinsurance. The Medicaid per diem rate shall be the rate in effect for the dates of service of the crossover claims and may not be subsequently adjusted due to subsequent per diem rate adjustments.

2. Medicaid shall pay all deductibles and coinsurance for Medicare-eligible recipients receiving freestanding end stage renal dialysis center services.

3. Medicaid payments for general *and specialty* hospital inpatient services *are* ~~shall be~~ limited to the Medicare deductible *and coinsurance* per spell of illness. *Medicaid payments for hospital Medicare Part A coinsurance shall be limited to the Medicaid hospital per diem rate less any amounts paid by Medicare, but only up to the amount of Medicare coinsurance. Medicaid payments for coinsurance shall be limited to the Medicaid per diem rate in effect for the dates of service of the crossover claims and may not be subsequently adjusted due to subsequent per diem adjustments.* ~~Medicaid shall make no payment toward coinsurance for Medicare general hospital inpatient services.~~

4. Medicaid shall pay all deductibles and coinsurance for Medicare emergency transportation services provided by ambulances licensed pursuant to chapter 401.

5. Medicaid shall pay all deductibles and coinsurance for portable X-ray Medicare Part B services provided in a nursing home.

(14) A provider of prescribed drugs shall be reimbursed the least of the amount billed by the provider, the provider's usual and customary charge, or the Medicaid maximum allowable fee established by the agency, plus a dispensing fee. The Medicaid maximum allowable fee for ingredient cost will be based on the lower of: average wholesale price (AWP) minus *16.4* ~~15.4~~ percent, wholesaler acquisition cost (WAC) plus *4.75* ~~5.75~~ percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider. Medicaid providers are required to dispense generic drugs if available at lower cost and the agency has not determined that the branded product is more cost-effective, unless the prescriber has requested and received approval to require the branded product. The agency is directed to implement a variable dispensing fee for payments for prescribed medicines while ensuring continued access for Medicaid recipients. The variable dispensing fee may be based upon, but not limited to, either or both the volume of prescriptions dispensed by a specific pharmacy provider, the volume of prescriptions dispensed to an individual recipient, and dispensing of preferred-drug-list products. The agency may increase the pharmacy dispensing fee authorized by statute and in the annual General Appropriations Act by $0.50 for the dispensing of a Medicaid preferred-drug-list product and reduce the pharmacy dispensing fee by $0.50 for the dispensing of a Medicaid product that is not included on the preferred drug list. The agency may establish a supplemental pharmaceutical dispensing fee to be paid to providers returning unused unit-dose packaged medications to stock and crediting the Medicaid program for the ingredient cost of those medications if the ingredient costs to be credited exceed the value of the supplemental dispensing fee. The agency is authorized to limit reimbursement for prescribed medicine in order to comply with any limitations or directions provided for in the General Appropriations Act, which may include implementing a prospective or concurrent utilization review program.

(23)(a) The agency shall establish rates at a level that ensures no increase in statewide expenditures resulting from a change in unit costs for 2 fiscal years effective July 1, 2009. Reimbursement rates for the 2 fiscal years shall be as provided in the General Appropriations Act.

(b) This subsection applies to the following provider types:

1. Inpatient hospitals.

2. Outpatient hospitals.

3. Nursing homes.

4. County health departments.

5. Community intermediate care facilities for the developmentally disabled.

6. Prepaid health plans.

The agency shall apply the effect of this subsection to the reimbursement rates for nursing home diversion programs.

(c) The agency shall create a workgroup on hospital reimbursement, a workgroup on nursing facility reimbursement, and a workgroup on managed care plan payment. The workgroups shall evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans, including prospective payment methodologies for hospitals and nursing facilities. The nursing facility workgroup shall also consider price-based methodologies for indirect care and acuity adjustments for direct care. The agency shall submit a report on the evaluated alternative reimbursement methodologies to the relevant committees of the Senate and the House of Representatives by November 1, 2009.

(d) This subsection expires June 30, 2011.

Section 6. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is 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 *2002, 2003, and 2004* ~~2000, 2001, and 2002~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the *2008-2009* ~~2006-2007~~ state fiscal year.

Section 7. 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 for Health Care Administration shall design and implement a system of making disproportionate share payments to those hospitals that participate in the regional perinatal intensive care center program established pursuant to chapter 383. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding 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. For the state fiscal year *2008-2009* ~~2005-2006~~, the agency shall 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 department's 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 shall 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 shall 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 8. Section 409.9113, Florida Statutes, is amended to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under ss. 409.911 and 409.9112, the Agency for Health Care Administration shall make disproportionate share payments to statutorily defined teaching hospitals for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. For the state fiscal year *2008-2009* ~~2006-2007~~, 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 for Health Care Administration shall calculate an allocation fraction to be used for distributing funds to state statutory teaching hospitals. Subsequent to the end of each quarter of the state fiscal year, the agency shall distribute to each statutory teaching hospital, as defined in s. 408.07, an amount determined by multiplying one-fourth of the funds appropriated for this purpose by the Legislature times such hospital's allocation fraction. The allocation fraction for each such hospital shall be determined by the sum of three primary factors, divided by three. The primary factors are:

(a) The number of nationally accredited graduate medical education programs offered by the hospital, including programs accredited by the Accreditation Council for Graduate Medical Education and the combined Internal Medicine and Pediatrics programs acceptable to both the American Board of Internal Medicine and the American Board of Pediatrics at the beginning of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of programs, where the total is computed for all state statutory teaching hospitals.

(b) The number of full-time equivalent trainees in the hospital, which comprises two components:

1. The number of trainees enrolled in nationally accredited graduate medical education programs, as defined in paragraph (a). Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of full-time equivalent trainees enrolled in accredited graduate programs, where the total is computed for all state statutory teaching hospitals.

2. The number of medical students enrolled in accredited colleges of medicine and engaged in clinical activities, including required clinical clerkships and clinical electives. Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the course of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total number of full-time equivalent students enrolled in accredited colleges of medicine, where the total is computed for all state statutory teaching hospitals.

The primary factor for full-time equivalent trainees is computed as the sum of these two components, divided by two.

(c) A service index that comprises three components:

1. The Agency for Health Care Administration Service Index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to services offered by the given hospital, as reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total Agency for Health Care Administration Service Index values, where the total is computed for all state statutory teaching hospitals.

2. A volume-weighted service index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to the volume of each service, expressed in terms of the standard units of measure reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation factor is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total volume-weighted service index values, where the total is computed for all state statutory teaching hospitals.

3. Total Medicaid payments to each hospital for direct inpatient and outpatient services during the fiscal year preceding the date on which the allocation factor is calculated. This includes payments made to each hospital for such services by Medicaid prepaid health plans, whether the plan was administered by the hospital or not. The numerical value of this factor is the fraction that each hospital represents of the total of such Medicaid payments, where the total is computed for all state statutory teaching hospitals.

The primary factor for the service index is computed as the sum of these three components, divided by three.

(2) By October 1 of each year, the agency shall use the following formula to calculate the maximum additional disproportionate share payment for statutorily defined teaching hospitals:

TAP = THAF x A

Where:

TAP = total additional payment.

THAF = teaching hospital allocation factor.

A = amount appropriated for a teaching hospital disproportionate share program.

Section 9. Section 409.9117, Florida Statutes, is amended to read:

409.9117 Primary care disproportionate share program.—For the state fiscal year *2008-2009* ~~2006-2007~~ , the agency shall not distribute moneys under the primary care disproportionate share program.

(1) If federal funds are available for disproportionate share programs in addition to those otherwise provided by law, there shall be created a primary care disproportionate share program.

(2) The following formula shall be used by the agency to calculate the total amount earned for hospitals that participate in the primary care disproportionate share program:

TAE = HDSP/THDSP

Where:

TAE = total amount earned by a hospital participating in the primary care disproportionate share program.

HDSP = the prior state fiscal year primary care disproportionate share payment to the individual hospital.

THDSP = the prior state fiscal year total primary care disproportionate share payments to all hospitals.

(3) The total additional payment for hospitals that participate in the primary care disproportionate share program shall be calculated by the agency as follows:

TAP = TAE x TA

Where:

TAP = total additional payment for a primary care hospital.

TAE = total amount earned by a primary care hospital.

TA = total appropriation for the primary care disproportionate share program.

(4) In the establishment and funding of this program, the agency shall use the following criteria in addition to those specified in s. 409.911, payments may not be made to a hospital unless the hospital agrees to:

(a) Cooperate with a Medicaid prepaid health plan, if one exists in the community.

(b) Ensure the availability of primary and specialty care physicians to Medicaid recipients who are not enrolled in a prepaid capitated arrangement and who are in need of access to such physicians.

(c) Coordinate and provide primary care services free of charge, except copayments, to all persons with incomes up to 100 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, and to provide such services based on a sliding fee scale to all persons with incomes up to 200 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, except that eligibility may be limited to persons who reside within a more limited area, as agreed to by the agency and the hospital.

(d) Contract with any federally qualified health center, if one exists within the agreed geopolitical boundaries, concerning the provision of primary care services, in order to guarantee delivery of services in a nonduplicative fashion, and to provide for referral arrangements, privileges, and admissions, as appropriate. The hospital shall agree to provide at an onsite or offsite facility primary care services within 24 hours to which all Medicaid recipients and persons eligible under this paragraph who do not require emergency room services are referred during normal daylight hours.

(e) Cooperate with the agency, the county, and other entities to ensure the provision of certain public health services, case management, referral and acceptance of patients, and sharing of epidemiological data, as the agency and the hospital find mutually necessary and desirable to promote and protect the public health within the agreed geopolitical boundaries.

(f) In cooperation with the county in which the hospital resides, develop a low-cost, outpatient, prepaid health care program to persons who are not eligible for the Medicaid program, and who reside within the area.

(g) Provide inpatient services to residents within the area who are not eligible for Medicaid or Medicare, and who do not have private health insurance, regardless of ability to pay, on the basis of available space, except that nothing shall prevent the hospital from establishing bill collection programs based on ability to pay.

(h) Work with the Florida Healthy Kids Corporation, the Florida Health Care Purchasing Cooperative, and business health coalitions, as appropriate, to develop a feasibility study and plan to provide a low-cost comprehensive health insurance plan to persons who reside within the area and who do not have access to such a plan.

(i) Work with public health officials and other experts to provide community health education and prevention activities designed to promote healthy lifestyles and appropriate use of health services.

(j) Work with the local health council to develop a plan for promoting access to affordable health care services for all persons who reside within the area, including, but not limited to, public health services, primary care services, inpatient services, and affordable health insurance generally.

Any hospital that fails to comply with any of the provisions of this subsection, or any other contractual condition, may not receive payments under this section until full compliance is achieved.

Section 10. Paragraph (b) of subsection (4) and paragraph (a) of subsection (39) of section 409.912, Florida Statutes, as amended by chapter 2007-331, Laws of Florida, are amended, and subsection (53) is added to that section, 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 an entity must be licensed under chapter 624, chapter 636, or chapter 641 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 prior to 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 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 shall be subject to this paragraph. Each entity must offer 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 shall require 80 percent of the capitation paid to the managed care plan, including health maintenance organizations, to be expended for the provision of behavioral health care services. In the event the managed care plan expends less than 80 percent of the capitation paid pursuant to this paragraph for the provision of behavioral health care services, the difference shall be returned to the agency. The agency shall provide the managed care plan with a certification letter indicating the amount of capitation paid during each calendar year for the provision of 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 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 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 shall be eligible to compete. Managed care plans contracting with the agency under subsection (3) 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 shall 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 the provisions of 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 for 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 shall 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, Hardee, Polk, or Manatee County of area 6* ~~For fiscal year 2004-2005, all Medicaid eligible children, except children in areas 1 and 6, whose cases are open for child welfare services in the HomeSafeNet system, shall be enrolled in MediPass or in Medicaid fee-for-service and all their behavioral health care services including inpatient, outpatient psychiatric, community mental health, and case management shall be reimbursed on a fee-for-service basis. Beginning July 1, 2005, such children~~, who 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 either 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 is authorized to seek any 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).

(39)(a) The agency shall implement a Medicaid prescribed-drug spending-control program that includes the following components:

1. A Medicaid preferred drug list, which shall be a listing of cost-effective therapeutic options recommended by the Medicaid Pharmacy and Therapeutics Committee established pursuant to s. 409.91195 and adopted by the agency for each therapeutic class on the preferred drug list. At the discretion of the committee, and when feasible, the preferred drug list should include at least two products in a therapeutic class. The agency may post the preferred drug list and updates to the preferred drug list on an Internet website without following the rulemaking procedures of chapter 120. Antiretroviral agents are excluded from the preferred drug list. The agency shall also limit the amount of a prescribed drug dispensed to no more than a 34-day supply unless the drug products' smallest marketed package is greater than a 34-day supply, or the drug is determined by the agency to be a maintenance drug in which case a 100-day maximum supply may be authorized. The agency is authorized to seek any federal waivers necessary to implement these cost-control programs and to continue participation in the federal Medicaid rebate program, or alternatively to negotiate state-only manufacturer rebates. The agency may adopt rules to implement this subparagraph. The agency shall continue to provide unlimited contraceptive drugs and items. The agency must establish procedures to ensure that:

a. There *is* ~~will be~~ a response to a request for prior consultation by telephone or other telecommunication device within 24 hours after receipt of a request for prior consultation; and

b. A 72-hour supply of the drug prescribed *is* ~~will be~~ provided in an emergency or when the agency does not provide a response within 24 hours as required by sub-subparagraph a.

2. Reimbursement to pharmacies for Medicaid prescribed drugs shall be set at the lesser of: the average wholesale price (AWP) minus *16.4* ~~15.4~~ percent, the wholesaler acquisition cost (WAC) plus *4.75* ~~5.75~~ percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider.

3. The agency shall develop and implement a process for managing the drug therapies of Medicaid recipients who are using significant numbers of prescribed drugs each month. The management process may include, but is not limited to, comprehensive, physician-directed medical-record reviews, claims analyses, and case evaluations to determine

the medical necessity and appropriateness of a patient's treatment plan and drug therapies. The agency may contract with a private organization to provide drug-program-management services. The Medicaid drug benefit management program shall include initiatives to manage drug therapies for HIV/AIDS patients, patients using 20 or more unique prescriptions in a 180-day period, and the top 1,000 patients in annual spending. The agency shall enroll any Medicaid recipient in the drug benefit management program if he or she meets the specifications of this provision and is not enrolled in a Medicaid health maintenance organization.

4. The agency may limit the size of its pharmacy network based on need, competitive bidding, price negotiations, credentialing, or similar criteria. The agency shall give special consideration to rural areas in determining the size and location of pharmacies included in the Medicaid pharmacy network. A pharmacy credentialing process may include criteria such as a pharmacy's full-service status, location, size, patient educational programs, patient consultation, disease management services, and other characteristics. The agency may impose a moratorium on Medicaid pharmacy enrollment when it is determined that it has a sufficient number of Medicaid-participating providers. The agency must allow dispensing practitioners to participate as a part of the Medicaid pharmacy network regardless of the practitioner's proximity to any other entity that is dispensing prescription drugs under the Medicaid program. A dispensing practitioner must meet all credentialing requirements applicable to his or her practice, as determined by the agency.

5. The agency shall develop and implement a program that requires Medicaid practitioners who prescribe drugs to use a counterfeit-proof prescription pad for Medicaid prescriptions. The agency shall require the use of standardized counterfeit-proof prescription pads by Medicaid-participating prescribers or prescribers who write prescriptions for Medicaid recipients. The agency may implement the program in targeted geographic areas or statewide.

6. The agency may enter into arrangements that require manufacturers of generic drugs prescribed to Medicaid recipients to provide rebates of at least 15.1 percent of the average manufacturer price for the manufacturer's generic products. These arrangements shall require that if a generic-drug manufacturer pays federal rebates for Medicaid-reimbursed drugs at a level below 15.1 percent, the manufacturer must provide a supplemental rebate to the state in an amount necessary to achieve a 15.1-percent rebate level.

7. The agency may establish a preferred drug list as described in this subsection, and, pursuant to the establishment of such preferred drug list, it is authorized to negotiate supplemental rebates from manufacturers that are in addition to those required by Title XIX of the Social Security Act and at no less than 14 percent of the average manufacturer price as defined in 42 U.S.C. s. 1936 on the last day of a quarter unless the federal or supplemental rebate, or both, equals or exceeds 29 percent. There is no upper limit on the supplemental rebates the agency may negotiate. The agency may determine that specific products, brand-name or generic, are competitive at lower rebate percentages. Agreement to pay the minimum supplemental rebate percentage will guarantee a manufacturer that the Medicaid Pharmaceutical and Therapeutics Committee will consider a product for inclusion on the preferred drug list. However, a pharmaceutical manufacturer is not guaranteed placement on the preferred drug list by simply paying the minimum supplemental rebate. Agency decisions will be made on the clinical efficacy of a drug and recommendations of the Medicaid Pharmaceutical and Therapeutics Committee, as well as the price of competing products minus federal and state rebates. The agency is authorized to contract with an outside agency or contractor to conduct negotiations for supplemental rebates. For the purposes of this section, the term "supplemental rebates" means cash rebates. Effective July 1, 2004, value-added programs as a substitution for supplemental rebates are prohibited. The agency is authorized to seek any federal waivers to implement this initiative.

8. The Agency for Health Care Administration shall expand home delivery of pharmacy products. To assist Medicaid patients in securing their prescriptions and reduce program costs, the agency shall expand its current mail-order-pharmacy diabetes-supply program to include all generic and brand-name drugs used by Medicaid patients with diabetes. Medicaid recipients in the current program may obtain nondiabetes drugs on a voluntary basis. This initiative is limited to the geographic area covered by the current contract. The agency may seek and implement any federal waivers necessary to implement this subparagraph.

9. The agency shall limit to one dose per month any drug prescribed to treat erectile dysfunction.

10.a. The agency may implement a Medicaid behavioral drug management system. The agency may contract with a vendor that has experience in operating behavioral drug management systems to implement this program. The agency is authorized to seek federal waivers to implement this program.

b. The agency, in conjunction with the Department of Children and Family Services, may implement the Medicaid behavioral drug management system that is designed to improve the quality of care and behavioral health prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid behavioral drugs. The program may include the following elements:

(I) Provide for the development and adoption of best practice guidelines for behavioral health-related drugs such as antipsychotics, antidepressants, and medications for treating bipolar disorders and other behavioral conditions; translate them into practice; review behavioral health prescribers and compare their prescribing patterns to a number of indicators that are based on national standards; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid beneficiaries who are outliers in their use of behavioral health drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of behavioral health drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple same-class behavioral health drugs, and may have other potential medication problems.

(V) Track spending trends for behavioral health drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement a disease management program with a model quality-based medication component for severely mentally ill individuals and emotionally disturbed children who are high users of care.

11.a. The agency shall implement a Medicaid prescription drug management system. The agency may contract with a vendor that has experience in operating prescription drug management systems in order to implement this system. Any management system that is implemented in accordance with this subparagraph must rely on cooperation between physicians and pharmacists to determine appropriate practice patterns and clinical guidelines to improve the prescribing, dispensing, and use of drugs in the Medicaid program. The agency may seek federal waivers to implement this program.

b. The drug management system must be designed to improve the quality of care and prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid prescription drugs. The program must:

(I) Provide for the development and adoption of best practice guidelines for the prescribing and use of drugs in the Medicaid program, including translating best practice guidelines into practice; reviewing prescriber patterns and comparing them to indicators that are based on national standards and practice patterns of clinical peers in their community, statewide, and nationally; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid recipients who are outliers in their use of a single or multiple prescription drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of prescription drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple drugs that may be redundant or contraindicated, or may have other potential medication problems.

(V) Track spending trends for prescription drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement disease management programs in cooperation with physicians and pharmacists, along with a model quality-based medication component for individuals having chronic medical conditions.

12. The agency is authorized to contract for drug rebate administration, including, but not limited to, calculating rebate amounts, invoicing manufacturers, negotiating disputes with manufacturers, and maintaining a database of rebate collections.

13. The agency may specify the preferred daily dosing form or strength for the purpose of promoting best practices with regard to the prescribing of certain drugs as specified in the General Appropriations Act and ensuring cost-effective prescribing practices.

14. The agency may require prior authorization for Medicaid-covered prescribed drugs. The agency may, but is not required to, prior-authorize the use of a product:

a. For an indication not approved in labeling;

b. To comply with certain clinical guidelines; or

c. If the product has the potential for overuse, misuse, or abuse.

The agency may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug. The agency may post prior authorization criteria and protocol and updates to the list of drugs that are subject to prior authorization on an Internet website without amending its rule or engaging in additional rulemaking.

15. The agency, in conjunction with the Pharmaceutical and Therapeutics Committee, may require age-related prior authorizations for certain prescribed drugs. The agency may preauthorize the use of a drug for a recipient who may not meet the age requirement or may exceed the length of therapy for use of this product as recommended by the manufacturer and approved by the Food and Drug Administration. Prior authorization may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug.

16. The agency shall implement a step-therapy prior authorization approval process for medications excluded from the preferred drug list. Medications listed on the preferred drug list must be used within the previous 12 months prior to the alternative medications that are not listed. The step-therapy prior authorization may require the prescriber to use the medications of a similar drug class or for a similar medical indication unless contraindicated in the Food and Drug Administration labeling. The trial period between the specified steps may vary according to the medical indication. The step-therapy approval process shall be developed in accordance with the committee as stated in s. 409.91195(7) and (8). A drug product may be approved without meeting the step-therapy prior authorization criteria if the prescribing physician provides the agency with additional written medical or clinical documentation that the product is medically necessary because:

a. There is not a drug on the preferred drug list to treat the disease or medical condition which is an acceptable clinical alternative;

b. The alternatives have been ineffective in the treatment of the beneficiary's disease; or

c. Based on historic evidence and known characteristics of the patient and the drug, the drug is likely to be ineffective, or the number of doses have been ineffective.

The agency shall work with the physician to determine the best alternative for the patient. The agency may adopt rules waiving the requirements for written clinical documentation for specific drugs in limited clinical situations.

17. The agency shall implement a return and reuse program for drugs dispensed by pharmacies to institutional recipients, which includes payment of a $5 restocking fee for the implementation and operation of the program. The return and reuse program shall be implemented electronically and in a manner that promotes efficiency. The program must permit a pharmacy to exclude drugs from the program if it is not practical or cost-effective for the drug to be included and must provide for the return to inventory of drugs that cannot be credited or returned in a cost-effective manner. The agency shall determine if the program has reduced the amount of Medicaid prescription drugs which are destroyed on an annual basis and if there are additional ways to ensure more prescription drugs are not destroyed which could safely be reused. The agency's conclusion and recommendations shall be reported to the Legislature by December 1, 2005.

(53) Before seeking an amendment to the state plan for purposes of implementing programs authorized by the Deficit Reduction Act of 2005, the agency shall notify the Legislature.

Section 11. Section 409.91206, Florida Statutes, is created to read:

409.91206 Alternatives for health and long-term care reforms.—The Governor, the President of the Senate, and the Speaker of the House of Representatives may convene workgroups to propose alternatives for cost-effective health and long-term care reforms, including, but not limited to, reforms for Medicaid.

Section 12. Paragraphs (c), (e), (f), and (i) of subsection (2) of section 409.9122, Florida Statutes, are amended to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(c) Medicaid recipients shall have a choice of managed care plans or MediPass. The Agency for Health Care Administration, the Department of Health, the Department of Children and Family Services, and the Department of Elderly Affairs shall cooperate to ensure that each Medicaid recipient receives clear and easily understandable information that meets the following requirements:

1. Explains the concept of managed care, including MediPass.

2. Provides information on the comparative performance of managed care plans and MediPass in the areas of quality, credentialing, preventive health programs, network size and availability, and patient satisfaction.

3. Explains where additional information on each managed care plan and MediPass in the recipient's area can be obtained.

4. Explains that recipients have the right to choose their ~~own~~ managed care *coverage at the time they first enroll in Medicaid and again at regular intervals set by the agency* ~~plans or MediPass~~. However, if a recipient does not choose a managed care plan or MediPass, the agency will assign the recipient to a managed care plan or MediPass according to the criteria specified in this section.

5. Explains the recipient's right to complain, file a grievance, or change managed care plans or MediPass providers if the recipient is not satisfied with the managed care plan or MediPass.

(e) Medicaid recipients who are already enrolled in a managed care plan or MediPass shall be offered the opportunity to change managed care plans or MediPass providers on a staggered basis, as defined by the agency. All Medicaid recipients shall have 30 days in which to make a choice of managed care plans or MediPass providers. *In counties that*

have two or more managed care plans, a recipient already enrolled in MediPass who fails to make a choice during the annual period shall be assigned to a managed care plan if he or she is eligible for enrollment in the managed care plan. The agency shall apply for a state plan amendment or federal waiver authority, if necessary, to implement the provisions of this paragraph. All newly eligible Medicaid recipients shall have 30 days in which to make a choice of managed care plans or Medipass providers. Those Medicaid recipients who do not make a choice shall be assigned ~~to a managed care plan or MediPass~~ in accordance with paragraph (f). To facilitate continuity of care, for a Medicaid recipient who is also a recipient of Supplemental Security Income (SSI), prior to assigning the SSI recipient to a managed care plan or MediPass, the agency shall determine whether the SSI recipient has an ongoing relationship with a MediPass provider or managed care plan~~, and if so, the agency shall assign the SSI recipient to that MediPass provider or managed care plan~~ . *If the SSI recipient has an ongoing relationship with a managed care plan, the agency shall assign the recipient to that managed care plan.* Those SSI recipients who do not have such a provider relationship shall be assigned to a managed care plan or MediPass provider in accordance with paragraph (f).

(f) *If* ~~When~~ a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan or MediPass provider. Medicaid recipients *eligible for managed care plan enrollment* who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of 35 percent in MediPass and 65 percent in managed care plans, of all those eligible to choose managed care, is achieved. Once this enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a 35 percent and 65 percent proportion, respectively. Thereafter, assignment of Medicaid recipients who fail to make a choice shall be based proportionally on the preferences of recipients who have made a choice in the previous period. Such proportions shall be revised at least quarterly to reflect an update of the preferences of Medicaid recipients. The agency shall disproportionately assign Medicaid-eligible recipients who are required to but have failed to make a choice of managed care plan or MediPass, including children, and who *would* ~~are to~~ be assigned to the MediPass program to children's networks as described in s. 409.912(4)(g), Children's Medical Services Network as defined in s. 391.021, exclusive provider organizations, provider service networks, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act, in such manner as the agency deems appropriate, until the agency has determined that the networks and programs have sufficient numbers to be *operated* economically ~~operated~~. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes health maintenance organizations, exclusive provider organizations, provider service networks, minority physician networks, Children's Medical Services Network, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.

2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.

3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.

4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

(i) After a recipient has made *his or her* ~~a~~ selection or has been enrolled in a managed care plan or MediPass, the recipient shall have 90 days *to exercise the opportunity* ~~in which~~ to voluntarily disenroll and select another managed care plan or MediPass ~~provider~~. After 90 days, no further changes may be made except for *good* cause. *Good* cause *includes* ~~shall include~~, but *is* not ~~be~~ limited to, poor quality of care, lack of access to necessary specialty services, an unreasonable delay or denial of service, or fraudulent enrollment. The agency shall develop criteria for good cause disenrollment for chronically ill and disabled populations who are assigned to managed care plans if more appropriate care is available through the MediPass program. The agency must make a determination as to whether cause exists. However, the agency may require a recipient to use the managed care plan's or MediPass grievance process prior to the agency's determination of cause, except in cases in which immediate risk of permanent damage to the recipient's health is alleged. The grievance process, when utilized, must be completed in time to permit the recipient to disenroll *by* ~~no later than~~ the first day of the second month after the month the disenrollment request was made. If the managed care plan or MediPass, as a result of the grievance process, approves an enrollee's request to disenroll, the agency is not required to make a determination in the case. The agency must make a determination and take final action on a recipient's request so that disenrollment occurs no later than the first day of the second month after the month the request was made. If the agency fails to act within the specified timeframe, the recipient's request to disenroll is deemed to be approved as of the date agency action was required. Recipients who disagree with the agency's finding that cause does not exist for disenrollment shall be advised of their right to pursue a Medicaid fair hearing to dispute the agency's finding.

Section 13. Subsection (2) of section 409.9124, Florida Statutes, is amended to read:

409.9124 Managed care reimbursement.—The agency shall develop and adopt by rule a methodology for reimbursing managed care plans.

(2) Each year prior to establishing new managed care rates, the agency shall review all prior year adjustments for changes in trend, and shall reduce or eliminate those adjustments which are not reasonable and which reflect policies or programs which are not in effect. In addition, the agency shall apply only those policy reductions applicable to the fiscal year for which the rates are being set, which can be accurately estimated and verified by an independent actuary, and which have been implemented prior to or will be implemented during the fiscal year. ~~The agency shall pay rates at per-member, per-month averages that do not exceed the amounts allowed for in the General Appropriations Act applicable to the fiscal year for which the rates will be in effect.~~

Section 14. Subsection (36) of section 409.913, Florida Statutes, is amended to read:

409.913 Oversight of the integrity of the Medicaid program.—The agency shall operate a program to oversee the activities of Florida Medicaid recipients, and providers and their representatives, to ensure that fraudulent and abusive behavior and neglect of recipients occur to the minimum extent possible, and to recover overpayments and impose sanctions as appropriate. Beginning January 1, 2003, and each year thereafter, the agency and the Medicaid Fraud Control Unit of the Department of Legal Affairs shall submit a joint report to the Legislature documenting the effectiveness of the state's efforts to control Medicaid fraud and abuse and to recover Medicaid overpayments during the previous fiscal year. The report must describe the number of cases opened and investigated each year; the sources of the cases opened; the disposition of the cases closed each year; the amount of overpayments alleged in preliminary and final audit letters; the number and amount of fines or penalties imposed; any reductions in overpayment amounts negotiated in settlement agreements or by other means; the amount of final agency determinations of overpayments; the amount deducted from federal claiming as a result of overpayments; the amount of overpayments recovered each year; the amount of cost of investigation recovered each year; the average length of time to collect from the time the case was opened until the overpayment is paid in full; the amount determined as uncollectible and the portion of the uncollectible amount subsequently reclaimed from the Federal Government; the number of providers, by type, that are terminated from participation in the Medicaid program as a result of fraud and abuse; and all costs associated with discovering and prosecuting cases of Medicaid overpayments and making recoveries in such cases. The report must also document actions taken to prevent overpayments and the number of providers prevented from enrolling in or reenrolling in the Medicaid program as a result of documented Medicaid fraud and abuse and must recommend changes necessary to prevent or recover overpayments.

(36) The agency shall provide to each Medicaid recipient or his or her representative an explanation of benefits in the form of a letter that is mailed to the most recent address of the recipient on the record with the

Department of Children and Family Services. The explanation of benefits must include the patient's name, the name of the health care provider and the address of the location where the service was provided, a description of all services billed to Medicaid in terminology that should be understood by a reasonable person, and information on how to report inappropriate or incorrect billing to the agency or other law enforcement entities for review or investigation. *The explanation of benefits may not be mailed for Medicaid independent laboratory services as described in s. 409.905(7) or for Medicaid certified match services as described in ss. 409.9071 and 1011.70.*

Section 15. *Sections 409.9061 and 430.83, Florida Statutes, are repealed.*

Section 16. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to health care; amending s. 400.179, F.S.; authorizing the Agency for Health Care Administration to transfer funds to the Grants and Donations Trust Fund for certain repayments; amending s. 409.017, F.S.; revising the short title; providing additional legislative intent; requiring the agency to develop a procurement document and procedure to claim certain federal matching funds; amending s. 409.904, F.S.; discontinuing optional Medicaid payments for certain persons age 65 or over or who are blind or disabled; revising certain eligibility criteria for pregnant women and children younger than age 21; amending s. 409.906, F.S.; authorizing payment of a specified amount for Medicaid services provided by an anesthesiologist assistant; amending s. 409.908, F.S.; deleting a provision prohibiting Medicaid from making any payment toward deductibles and coinsurance for services not covered by Medicaid; providing limitations on Medicaid payments for coinsurance; providing for Medicaid to pay for certain X-ray services in a nursing home; revising reimbursement rates for providers of Medicaid prescribed drugs; requiring the agency to revise reimbursement rates for hospitals, nursing homes, county health departments, and community intermediate care facilities for the developmentally disabled for 2 fiscal years; requiring the agency to apply the effect of the revised reimbursement rates to set payment rates for managed care plans and nursing home diversion programs; requiring the agency to establish workgroups to evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans; requiring a report; providing for future repeal of the suspension of the use of cost data to set certain rates; amending s. 409.911, F.S.; revising the share data used to calculate disproportionate share payments to hospitals; amending s. 409.9112, F.S.; revising the time period during which the agency is prohibited from distributing disproportionate share payments to regional perinatal intensive care centers; amending s. 409.9113, F.S.; requiring the agency to distribute moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program for the 2008-2009 fiscal year; amending s. 409.9117, F.S.; prohibiting the agency from distributing moneys under the primary care disproportionate share program for the 2008-2009 fiscal year; amending s. 409.912, F.S.; adding a county for participation in the Medicaid behavioral health care services specialty prepaid plan; revising reimbursement rates to pharmacies for Medicaid prescribed drugs; requiring the agency to notify the Legislature before seeking an amendment to the state plan in order to implement programs authorized by the Deficit Reduction Act of 2005; creating s. 409.91206, F.S.; providing for proposed alternatives for health and long-term care reforms; amending s. 409.9122, F.S.; revising enrollment requirements relating to Medicaid managed care programs and the agency's authority to assign persons to MediPass or a managed care plan; amending s. 409.9124, F.S.; removing the limitation on the application of certain rates and rate reductions used by the agency to reimburse managed care plans; amending s. 409.913, F.S.; prohibiting mailing of the explanation of benefits for certain Medicaid services; repealing s. 409.9061, F.S., relating to authority for a statewide laboratory services contract; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5085** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—26

Mr. President	Diaz de la Portilla	Peaden
Alexander	Fasano	Posey
Atwater	Gaetz	Saunders
Baker	Garcia	Siplin
Bennett	Haridopolos	Storms
Carlton	Jones	Villalobos
Constantine	King	Webster
Crist	Lynn	Wise
Dean	Oelrich	

Nays—13

Aronberg	Hill	Margolis
Bullard	Joyner	Rich
Dawson	Justice	Ring
Deutch	Lawson	Wilson
Dockery		

Vote after roll call:

Nay—Geller

Yea to Nay—Siplin

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, 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 5087, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5087

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5087, same being:

An act relating to **Agency for Persons with Disabilities**; revising provisions relating to certain clients with developmental disabilities served under the four-tiered waiver system; providing for residential habilitation services; establishing geographic differential payments for Miami-Dade, Broward, Palm Beach, and Monroe Counties; providing effective dates for applicable payments; providing for rebasing costs plans based on actual expenditures for individuals served by home and community-based services or family and supported living waiver programs; extending the effective date for the provision of certain services; providing for future review and repeal of certain provisions; providing for deposit of client fees into the agency's Operations and Maintenance Trust Fund.

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/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Diaz de la Portilla

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery

s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (903991)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (4) of section 393.0661, Florida Statutes, is renumbered as subsection (7), paragraphs (b) and (d) of subsection (3) are amended, present subsection (5) is renumbered as subsection (8) and amended, and new subsections (4), (5), and (6) are added to that section, to read:

393.0661 Home and community-based services delivery system; comprehensive redesign.—The Legislature finds that the home and community-based services delivery system for persons with developmental disabilities and the availability of appropriated funds are two of the critical elements in making services available. Therefore, it is the intent of the Legislature that the Agency for Persons with Disabilities shall develop and implement a comprehensive redesign of the system.

(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 clients with developmental disabilities in 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 a valid assessment instrument, client characteristics, and other appropriate assessment methods. All services covered under the current developmental disabilities waiver shall be available to all clients in all tiers where appropriate, except as otherwise provided in this subsection or in the General Appropriations Act.

(b) Tier two shall be 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* ~~greater than 5 hours per day in~~ residential habilitation services or clients in supported living who receive greater than 6 hours a day of in-home support services. Total annual expenditures under tier two may not exceed $55,000 per client each year.

(d) Tier four is the family and supported living waiver. Tier four shall include, but is not limited to, clients in independent or supported living situations and clients who live in their family home. An increase to the number of services available to clients in this tier shall not take effect prior to July 1, *2009* ~~2008~~. Total annual expenditures under tier four may not exceed $14,792 per client each year.

(4) Effective July 1, 2008, the geographic differential for Miami-Dade, Broward, and Palm Beach Counties for residential habilitation services shall be 7.5 percent. Effective July 1, 2009, the geographic differential for Miami-Dade, Broward, and Palm Beach Counties for residential habilitation services shall be 4.5 percent.

(5) Effective July 1, 2008, the geographic differential for Monroe County for residential habilitation services shall be 20 percent. Effective July 1, 2009, the geographic differential for Monroe County for residential habilitation services shall be 15 percent. Effective July 1, 2010, the geographic differential for Monroe County for residential habilitation services shall be 10 percent.

(6) Effective January 1, 2009, and except as otherwise provided in this section, an individual served by the home and community-based services waiver or the family and supported living waiver funded through the Agency for Persons with Disabilities shall have his or her cost plan adjusted to reflect the amount of expenditures for the previous state fiscal year plus 5 percent if such amount is less than the individual's existing cost plan. The Agency for Persons with Disabilities shall use actual paid claims for services provided during the previous fiscal year that are submitted by October 31 to calculate the revised cost plan amount. If an individual was not served for the entire previous state fiscal year or there was any single change in the cost plan amount of more than 5 percent during the previous state fiscal year, the agency shall set the cost plan amount at an estimated annualized expenditure amount plus 5 percent. The agency shall estimate the annualized expenditure amount by calculating the average of monthly expenditures, beginning in the fourth month after the individual enrolled or the cost plan was changed by more than 5 percent and ending with August 31, 2008, and multiplying the average by 12. In the event that at least 3 months of actual expenditure data are not available to estimate annualized expenditures, the agency may not rebase a cost plan pursuant to this subsection. This subsection expires June 30, 2009, unless reenacted by the Legislature before that date.

(8)~~(5)~~ The Agency for Persons with Disabilities shall submit quarterly status reports to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor regarding the financial status of home and community-based services, including the number of enrolled individuals who are receiving services through one or more

programs; the number of individuals who have requested services who are not enrolled but who are receiving services through one or more programs, with a description indicating the programs from which the individual is receiving services; the number of individuals who have refused an offer of services but who choose to remain on the list of individuals waiting for services; the number of individuals who have requested services but who are receiving no services; a frequency distribution indicating the length of time individuals have been waiting for services; and information concerning the actual and projected costs compared to the amount of the appropriation available to the program and any projected surpluses or deficits. If at any time an analysis by the agency, in consultation with the Agency for Health Care Administration, indicates that the cost of services is expected to exceed the amount appropriated, the agency shall submit a plan in accordance with subsection *(7)* ~~(4)~~ to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor to remain within the amount appropriated. The agency shall work with the Agency for Health Care Administration to implement the plan so as to remain within the appropriation.

Section 2. Section 393.071, Florida Statutes, is amended to read:

393.071 Client fees.—The agency shall charge fees for services provided to clients in accordance with s. 402.33. *All funds collected pursuant to this section shall be deposited in the Operations and Maintenance Trust Fund.*

Section 3. This act shall take effect July 1, 2008.

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.; revising provisions relating to certain clients with developmental disabilities served under the four-tiered waiver system; providing for residential habilitation services; establishing geographic differential payments for Miami-Dade, Broward, Palm Beach, and Monroe Counties; providing effective dates for applicable payments; providing for rebasing cost plans based on actual expenditures for individuals served by home and community-based services or family and supported living waiver programs; extending the effective date for the provision of certain services; providing for future review and repeal of certain provisions; amending s. 393.071, F.S.; providing for deposit of client fees into the agency's Operations and Maintenance Trust Fund; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5087** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—25

Mr. President	Diaz de la Portilla	Peaden
Alexander	Fasano	Posey
Atwater	Gaetz	Saunders
Baker	Haridopolos	Siplin
Bennett	Jones	Storms
Carlton	King	Webster
Constantine	Lynn	Wise
Crist	Margolis	
Dean	Oelrich	

Nays—15

Aronberg	Garcia	Lawson
Bullard	Geller	Rich
Dawson	Hill	Ring
Deutch	Joyner	Villalobos
Dockery	Justice	Wilson

Vote after roll call:

Yea to Nay—Siplin

MOTION

On motion by Senator King, by two-thirds vote **CS for SB 2864** was placed on the Special Order Calendar this day.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1276, with 4 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to $280,000; providing for such amount to be adjusted annually; amending s. 1013.64, F.S.; providing duties of the Office of Educational Facilities with respect to approving school district construction projects and assisting districts in developing lists of proposed facilities; limiting total project costs except for providential causes; providing an effective date.

House Amendment 1 (511761)(with title amendment)—Between lines 14 and 15, insert:

Section 10. Subsection (3) of section 1011.71, Florida Statutes, as amended by chapters 2007-328 and 2008-2, Laws of Florida, and renumbered as subsection (4) and amended by section 10 of House Bill 5083, 2008 Regular Session, and contingent on that bill becoming a law, is amended to read:

1011.71 District school tax.—

(4) A school district that has met the reduction requirements regarding class size for the 2008-2009 fiscal year pursuant to s. 1003.03 for K-12 students for whom the school district provides the educational facilities *and governs operations* and certifies to the Commissioner of Education that the district does not need all of its discretionary 1.75-mill capital improvement revenue for capital outlay purposes and all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive during the next 5 years from local revenues and from currently appropriated state facilities funding or from alternative scheduling or construction, leasing, rezoning, or technological methodologies that exhibit sound management may expend, subject to the provisions of s. 200.065, up to $65 per unweighted full-time equivalent student from the revenue generated by the 2008-2009 millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), 2008-2009 expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 2. *The amendment made by this act to subsection (3) of section 1011.71, Florida Statutes, renumbered as subsection (4) by House Bill 5083, 2008 Regular Session, and contingent on that bill becoming a law, shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act and House Bill 5083, 2008 Regular Session, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text that expire pursuant to this section.*

And the title is amended as follows:

Remove line 2 and insert: An act relating to educational facilities; amending s. 1011.71, F.S., relating to district school tax; revising provisions relating to school district expenditure of capital outlay millage

under certain circumstances; providing for contingent effect and future expiration of such provisions;

House Amendment 2 (925409)(with title amendment)—Remove lines 26-130

And the title is amended as follows:

Remove lines 6-10 and insert: providing an

House Amendment 3 (965519)(with title amendment)—

Between lines 130 and 131, insert:

Section 3. Subsection (4) is added to section 1013.40, Florida Statutes, to read:

1013.40 Planning and construction of community college facilities; property acquisition.—

(4) The campus of a community college within a municipality designated as an area of critical state concern, as defined in s. 380.05, and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth, may construct dormitories for up to 100 beds for full-time community college students. Such dormitories shall be exempt from the building permit allocation system and may be constructed up to 45 feet in height provided that they are otherwise consistent with the comprehensive plan and land development regulations, the community college has a hurricane evacuation plan that requires all dormitory occupants to be evacuated 48 hours in advance of tropical force winds, and that transportation is provided for dormitory occupants during an evacuation.

And the title is amended as follows:

Remove line 10 and insert: project costs except for providential causes; authorizing construction of dormitories on a community college campus that is within a municipality that is designated as an area of critical state concern and meets certain requirements; providing an

House Amendment 1 to House Amendment 3 (657429)—

Remove lines 14-18 and insert: *up to 100 beds for community college students. Such dormitories shall be exempt from the building permit allocation system and may be constructed up to 45 feet in height provided that they are otherwise consistent with the comprehensive plan, the community college has a*

On motion by Senator Bennett, the Senate concurred in the House amendments.

CS for CS for SB 1276 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—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2012, with 11 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 2012—A bill to be entitled An act relating to insurance policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination of long-term care insurance policies; requiring that a canceled long-term care policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; amending s. 626.9543, F.S.; extending the period within which certain insurers must permit claims from a Holocaust victim or from a beneficiary, descendent, or heir of such a victim; extending the period within which certain actions brought by such a victim, descendent, or heir seeking proceeds of certain insurance policies may not be dismissed; providing effective dates.

House Amendment 1 (613621)(with title amendment)—Between lines 20-21 and insert:

Section 1. Section 624.443, Florida Statutes, is amended to read:

624.443 Place of business; maintenance of records.—Each arrangement shall have and maintain its principal place of business in this state and shall therein make available to the office complete records of its assets, transactions, and affairs in accordance with such methods and systems as are customary for, or suitable to, the kind or kinds of business transacted. *The office may waive this requirement if an arrangement has been operating in another state for at least 25 years, has been licensed in such state for at least 10 years, and has a minimum fund balance of $25 million at the time of licensure.*

And the title is amended as follows:

Between lines 2-3 and insert:

624.443, F.S.; authorizing the Office of Insurance Regulation to waive the requirement that each multiple-employer welfare arrangement maintain its principal place of business in this state if the arrangement meets certain specified conditions and has a minimum specified fund balance at the time of licensure; amending s.

House Amendment 2 (003745)—

Remove line(s) 61-65 and insert: designate any person to receive such notice." Notice *of possible lapse in coverage due to nonpayment of premium* shall be given by *United States Postal Service proof of mailing or certified or registered mail to the policyholder and secondary designee at the address shown in the policy or the last known address provided to the insurer.* ~~first class United States mail, postage prepaid, and~~ Notice may not be given until 30 days after

House Amendment 3 (944233)(with title amendment)—Between lines 117-118 and insert:

Section 3. Paragraph (a) of subsection (5) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(5) CHARGES FOR TREATMENT OF INJURED PERSONS.—

(a)1. Any physician, hospital, clinic, or other person or institution lawfully rendering treatment to an injured person for a bodily injury covered by personal injury protection insurance may charge the insurer and injured party only a reasonable amount pursuant to this section for the services and supplies rendered, and the insurer providing such coverage may pay for such charges directly to such person or institution lawfully rendering such treatment, if the insured receiving such treatment or his or her guardian has countersigned the properly completed invoice, bill, or claim form approved by the office upon which such charges are to be paid for as having actually been rendered, to the best knowledge of the insured or his or her guardian. In no event, however, may such a charge be in excess of the amount the person or institution

customarily charges for like services or supplies. With respect to a determination of whether a charge for a particular service, treatment, or otherwise is reasonable, consideration may be given to evidence of usual and customary charges and payments accepted by the provider involved in the dispute, and reimbursement levels in the community and various federal and state medical fee schedules applicable to automobile and other insurance coverages, and other information relevant to the reasonableness of the reimbursement for the service, treatment, or supply.

2. The insurer may limit reimbursement to 80 percent of the following schedule of maximum charges:

a. For emergency transport and treatment by providers licensed under chapter 401, 200 percent of Medicare.

b. For emergency services and care provided by a hospital licensed under chapter 395, 75 percent of the hospital's usual and customary charges.

c. For emergency services and care as defined by s. 395.002(10) provided in a facility licensed under chapter 395 rendered by a physician or dentist, and related hospital inpatient services rendered by a physician or dentist, the usual and customary charges in the community.

d. For hospital inpatient services, other than emergency services and care, 200 percent of the Medicare Part A prospective payment applicable to the specific hospital providing the inpatient services.

e. For hospital outpatient services, other than emergency services and care, 200 percent of the Medicare Part A Ambulatory Payment Classification for the specific hospital providing the outpatient services.

f. For all other medical services, supplies, and care, 200 percent of the *allowable amount under the participating physicians schedule of* ~~applicable~~ Medicare Part B ~~fee schedule~~. However, if such services, supplies, or care is not reimbursable under Medicare Part B, the insurer may limit reimbursement to 80 percent of the maximum reimbursable allowance under workers' compensation, as determined under s. 440.13 and rules adopted thereunder which are in effect at the time such services, supplies, or care is provided. Services, supplies, or care that is not reimbursable under Medicare or workers' compensation is not required to be reimbursed by the insurer.

3. For purposes of subparagraph 2., the applicable fee schedule or payment limitation under Medicare is the fee schedule or payment limitation in effect at the time the services, supplies, or care was rendered and for the area in which such services were rendered, except that it may not be less than the *allowable amount under the participating physicians schedule* ~~applicable 2007~~ Medicare Part B *for 2007* ~~fee schedule~~ for medical services, supplies, and care subject to Medicare Part B.

4. Subparagraph 2. does not allow the insurer to apply any limitation on the number of treatments or other utilization limits that apply under Medicare or workers' compensation. An insurer that applies the allowable payment limitations of subparagraph 2. must reimburse a provider who lawfully provided care or treatment under the scope of his or her license, regardless of whether such provider would be entitled to reimbursement under Medicare due to restrictions or limitations on the types or discipline of health care providers who may be reimbursed for particular procedures or procedure codes.

5. If an insurer limits payment as authorized by subparagraph 2., the person providing such services, supplies, or care may not bill or attempt to collect from the insured any amount in excess of such limits, except for amounts that are not covered by the insured's personal injury protection coverage due to the coinsurance amount or maximum policy limits.

And the title is amended as follows:

Remove line 17 and insert: dismissed; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing effective dates.

House Amendment 4 (961399)(with title amendment)—Between line(s) 20 and 21, insert:

Section 1. Subsection (1) of section 395.106, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

395.106 Risk pooling by certain hospitals and hospital systems.—

(1) Notwithstanding any other provision of law, any two or more hospitals licensed in this state and located in this state may form an alliance for the purpose of pooling and spreading liabilities of its members relative to property exposure *, implementing self-insurance coverage for its members,* or securing such property insurance coverage for the benefit of its members, provided an alliance that is created:

(a) Has annual premiums in excess of $3 million.

(b) Maintains a continuing program of premium calculation and evaluation and reserve evaluation to protect the financial stability of the alliance in an amount and manner determined by consultants using catastrophic (CAT) modeling criteria or other risk-estimating methodologies, including those used by qualified and independent actuaries.

(c) Causes to be prepared annually a fiscal year-end financial statement based upon generally accepted accounting principles and audited by an independent certified public accountant within 6 months after the end of the fiscal year.

(d) Has a governing body comprised entirely of member entities whose representatives on such governing body are specified by the organizational documents of the alliance.

(5) Reinsurance companies complying with s. 624.610 may issue coverage directly to an alliance self-insuring its liabilities under this section. An alliance purchasing reinsurance shall be considered an insurer for the sole purpose of entering into such reinsurance contracts. Contracts of reinsurance issued to an alliance under this section shall receive the same tax treatment as reinsurance contracts issued to insurance companies. However, the purchase of reinsurance coverage by an alliance self-insuring pursuant to this section shall not be construed as authorizing an alliance to otherwise act as an insurer.

And the title is amended as follows:

Between line(s) 2 and 3, insert:

395.106, F.S.; expanding authority for certain hospitals to form an alliance for certain purposes; authorizing reinsurance companies to issue coverage to certain self-insuring alliances under certain circumstances; providing for considering certain alliances as insurers for certain purposes; providing for alliance reinsurance contracts to receive the same tax treatment as reinsurance contracts issued to insurance companies; providing an exception; amending s.

House Amendment 5 (988445)(with title amendment)—Between lines 20 and 21, insert:

Section 13. Paragraph (w) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(w)1. The following records of the corporation are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

a. Underwriting files, except that a policyholder or an applicant shall have access to his or her own underwriting files. *Confidential and exempt underwriting file records may also be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.*

b. Claims files, until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Confidential and exempt claims file records may be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided ~~for~~ herein.

c. Records obtained or generated by an internal auditor pursuant to a routine audit, until the audit is completed, or if the audit is conducted as part of an investigation, until the investigation is closed or ceases to be active. An investigation is considered "active" while the investigation is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings.

d. Matters reasonably encompassed in privileged attorney-client communications.

e. Proprietary information licensed to the corporation under contract and the contract provides for the confidentiality of such proprietary information.

f. All information relating to the medical condition or medical status of a corporation employee which is not relevant to the employee's capacity to perform his or her duties, except as otherwise provided in this paragraph. Information *that* ~~which~~ is exempt shall include, but is not limited to, information relating to workers' compensation, insurance benefits, and retirement or disability benefits.

g. Upon an employee's entrance into the employee assistance program, a program to assist any employee who has a behavioral or medical disorder, substance abuse problem, or emotional difficulty which affects the employee's job performance, all records relative to that participation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided in s. 112.0455(11).

h. Information relating to negotiations for financing, reinsurance, depopulation, or contractual services, until the conclusion of the negotiations.

i. Minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding an open claims file until termination of all litigation and settlement of all claims with regard to that claim, except that information otherwise confidential or exempt by law *shall* ~~will~~ be redacted.

2. If ~~When~~ an authorized insurer is considering underwriting a risk insured by the corporation, relevant underwriting files and confidential claims files may be released to the insurer provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. *If* ~~When~~ a file is transferred to an insurer that file is no longer a public record because it is not held by an agency subject to the provisions of the public records law. Underwriting files and confidential claims files may also be released to staff ~~of~~ and the board of governors of the market assistance plan established pursuant to s. 627.3515, who must retain the confidentiality of such files, except such files may be released to authorized insurers that are considering assuming the risks to which the files apply, provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. Finally, the corporation or the board or staff of the market assistance plan may make the following information obtained from underwriting files and confidential claims files available to licensed general lines insurance agents: name, address, and telephone number of the residential property owner or insured; location of the risk; rating information; loss history; and policy type. The receiving licensed general lines insurance agent must retain the confidentiality of the information received.

3. A policyholder who has filed suit against the corporation has the right to discover the contents of his or her own claims file to the same extent that discovery of such contents would be available from a private insurer in litigation as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law. Pursuant to subpoena, a third party has the right to discover the contents of an insured's or applicant's underwriting or claims file to the same extent that discovery of such contents would be available from a private insurer by subpoena as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law, and subject to any confidentiality protections requested by the corporation and agreed to by the seeking party or ordered by the court. The corporation may release confidential underwriting and claims file contents and information as it deems necessary and appropriate to underwrite or service insurance policies and claims, subject to any confidentiality protections deemed necessary and appropriate by the corporation.

4.~~2.~~ Portions of meetings of the corporation are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution wherein confidential underwriting files or confidential open claims files are discussed. All portions of corporation meetings which are closed to the public shall be recorded by a court reporter. The court reporter shall record the times of commencement and termination of the meeting, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of any closed meeting shall be off the record. Subject to the provisions hereof and s. 119.07(1)(e)-(g), the court reporter's notes of any closed meeting shall be retained by the corporation for a minimum of 5 years. A copy of the transcript, less any exempt matters, of any closed meeting wherein claims are discussed shall become public as to individual claims after settlement of the claim.

And the title is amended as follows:

Between lines 2-3 insert:

627.351, F.S.; clarifying the right of certain parties to discover underwriting and claims file records; authorizing the corporation to release such records as it deems necessary; amending s.

House Amendment 6 (916039)(with title amendment)—Between lines 20-21 and insert:

Section 1. Section 624.46226, Florida Statutes, is amended to read:

624.46226 Public housing authorities self-insurance funds; exemption for taxation and assessments.—

(1) *Notwithstanding any other provision of law,* any two or more public housing authorities in the state as defined in chapter 421 may *form* ~~also create~~ a self-insurance fund for the purpose of *pooling and spreading liabilities of its members as to any one or combination of casualty risk or* ~~self-insuring~~ real or personal property *risk* of every kind and every interest in such property against loss or damage from any hazard or cause and against any loss consequential to such loss or damage, provided *the self-insurance fund that is created:* ~~all the provisions of s. 624.4622 are met.~~

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

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

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

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

1. Purchase excess insurance from authorized insurance carriers or eligible surplus lines insurers.

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

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

(f) Has a governing body which is comprised entirely of commissioners of public housing authorities that are members of the public housing authority self-insurance fund or persons appointed by the commissioners of public housing authorities that are members of the public housing authority self-insurance fund.

(g) Uses knowledgeable persons or business entities to administer or service the fund in the areas of claims administration, claims adjusting, underwriting, risk management, loss control, policy administration, financial audit, and legal areas. Such persons must meet all applicable requirements of law for state licensure and must have at least 5 years'

experience with commercial self-insurance funds formed under s. 624.462, self-insurance funds formed under s. 624.4622, or domestic insurers.

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

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

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

(3) A public housing authority's self-insurance fund that meets the requirements of this section is not:

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

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

(4) Premiums, contributions, and assessments received by a public housing authority's self-insurance fund are subject to ss. 624.509(1) and (2) and 624.5092, except that the tax rate shall be 1.6 percent of the gross amount of such premiums, contributions, and assessments.

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

(6)~~(2)~~ Any public housing authority in the state as defined in chapter 421 that is a member of a self-insurance fund pursuant to this section shall be exempt from the assessments imposed under ss. 215.555, 627.351 and 631.57.

And the title is amended as follows:

Remove line 2 and insert: An act relating to insurance; amending s. 624.46226, F.S.; revising provisions authorizing public housing authorities to form self-insurance funds; specifying requirements; providing a definition; providing construction relating to self-insurance funds; providing for application of certain provisions of law to premiums, contributions, and assessments of public authority's self-insurance funds; specifying an alternative tax rate; providing for application of certain provisions of law to public authority's self-insurance funds not meeting certain requirements; amending s.

Substitute House Amendment 7 (758247)—(with title amendment) Between lines 20 and 21 insert:

Section 1. Effective January 1, 2009, subsection (5) of section 624.501, Florida Statutes, is amended to read:

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

(5) All insurance representatives, application for license, *application for reinstatement of suspended license,* each filing, filing fee....$50.00

Section 2. Effective January 1, 2009, subsection (1) of section 626.015, Florida Statutes, is amended to read:

626.015 Definitions.—As used in this part:

(1) "Adjuster" means a public adjuster as defined in s. 626.854, *public adjuster apprentice as defined in s. 626.8541,* independent adjuster as defined in s. 626.855, or company employee adjuster as defined in s. 626.856.

Section 3. Effective January 1, 2009, paragraphs (c), (e), and (f) of subsection (2) of section 626.221, Florida Statutes, are amended to read:

626.221 Examination requirement; exemptions.—

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

(c) In the discretion of the department, an applicant for reinstatement of license or appointment as an agent, customer representative, *company employee adjuster,* or *independent* adjuster whose license has been suspended within 4 years prior to the date of application or written request for reinstatement.

(e) A person who has been licensed and appointed as *an* ~~a public adjuster,~~ independent adjuster~~,~~ or company *employee* adjuster as to all property, casualty, and surety insurances~~,~~ may be licensed and appointed as a company *employee adjuster or*~~,~~ independent~~, or public~~ adjuster, as to these kinds of insurance, without additional written examination if an application for licensure is filed with the department within 48 months following the date of cancellation or expiration of the prior appointment.

(f) A person who has been licensed as *a company employee adjuster or independent* ~~an~~ adjuster for motor vehicle, property and casualty, workers' compensation, and health insurance may be licensed as such an adjuster without additional written examination if his or her application for licensure is filed with the department within 48 months after cancellation or expiration of the prior license.

Section 4. Effective January 1, 2009, subsection (6) of section 626.241, Florida Statutes, is amended to read:

626.241 Scope of examination.—

(6) *In order to reflect the differences between adjusting claims for an insurer and adjusting claims for an insured, the department shall create an examination for applicants seeking licensure as a public adjuster and a separate examination for applicants seeking licensure as a company employee adjuster or independent adjuster.* Examinations given applicants for license as an all-lines adjuster shall cover adjusting in all lines of insurance, other than life and annuity; or, in accordance with the application for the license, the examination may be limited to adjusting in:

(a) Automobile physical damage insurance;

(b) Property and casualty insurance;

(c) Workers' compensation insurance; or

(d) Health insurance.

No examination on worker's compensation insurance or health insurance shall be required for public adjusters.

Section 5. Effective January 1, 2009, subsection (1) of section 626.641, Florida Statutes, is amended to read:

626.641 Duration of suspension or revocation.—

(1) The department shall, in its order suspending a license or appointment or in its order suspending the eligibility of a person to hold or apply for such license or appointment, specify the period during which the suspension is to be in effect; but such period shall not exceed 2 years. The license, appointment, or eligibility shall remain suspended during the period so specified, subject, however, to any rescission or modification of the order by the department, or modification or reversal thereof by the court, prior to expiration of the suspension period. A license, appointment, or eligibility *that* ~~which~~ has been suspended shall not be reinstated except upon *the filing and approval of an application for* ~~request for such~~ reinstatement and, in the case of a second suspension, completion of continuing education courses prescribed and approved by the department; but the department shall not *approve an application for* ~~grant such~~ reinstatement if it finds that the circumstance or circumstances for which the license, appointment, or eligibility was suspended still exist or are likely to recur. In addition, *an application* ~~a request~~ for reinstatement is subject to denial and subject to a waiting period prior to approval on the same grounds that apply to applications for licensure pursuant to ss. 626.207, 626.611, ~~and~~ 626.621*, and 626.8698*.

Section 6. Effective October 1, 2008, subsections (5) through (12) are added to section 626.854, Florida Statutes, 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.

(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.

(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. 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.

2. Twenty percent of the amount of all other insurance claim payments.

(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.

The provisions of subsections (5)-(12) apply only to residential property insurance policies and condominium association policies as defined in s. 718.111(11).

Section 7. Effective January 1, 2009, section 626.8541, Florida Statutes, is created to read:

626.8541 Public adjuster apprentice.—

(1) A "public adjuster apprentice" is any person who is not a licensed public adjuster, who is employed by or has a contract with a licensed and appointed public adjuster in good standing with the department or a public adjusting firm that employs at least one licensed and appointed public adjuster in good standing with the department to assist a public adjuster in conducting business under the license, and who satisfies the requirements of s. 626.8651.

(2) A public adjuster apprentice must work with a licensed and appointed public adjuster for a period of 12 months as set forth in this section, and who otherwise is in full compliance with this chapter, prior to being eligible for appointment as a licensed public adjuster.

Section 8. Effective January 1, 2009, paragraph (e) of subsection (1) of section 626.865, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

626.865 Public adjuster's qualifications, bond.—

(1) The department shall issue a license to an applicant for a public adjuster's license upon determining that the applicant has paid the applicable fees specified in s. 624.501 and possesses the following qualifications:

(e) Has passed *the* ~~any~~ required written examination.

(3) The department may not issue a license as a public adjuster to any individual who has not passed the examination for a public adjuster's license. Any individual who is applying for reinstatement of a license after completion of a period of suspension and any individual who is applying for a new license after termination, cancellation, revocation, or expiration of a prior license as a public adjuster must pass the examination required for licensure as a public adjuster after approval of the application for reinstatement or for a new license regardless of whether the applicant passed an examination prior to issuance of the license that was suspended, terminated, canceled, revoked, or expired.

Section 9. Effective January 1, 2009, section 626.8651, Florida Statutes, is created to read:

626.8651 Public adjuster apprentice license; qualifications.—

(1) The department shall issue a license as a public adjuster apprentice to an applicant who is:

(a) A natural person at least 18 years of age.

(b) A United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services and is a resident of this state.

(c) Trustworthy and has such business reputation as would reasonably ensure that the applicant will conduct business as a public adjuster apprentice fairly and in good faith and without detriment to the public.

(2) All applicable license fees, as prescribed in s. 624.501, must be paid in full before issuance of the license.

(3) At the time of application for license as a public adjuster apprentice, the applicant shall file with the department a bond executed and issued by a surety insurer authorized to transact such business in this state in the amount of $50,000, conditioned upon the faithful performance of his or her duties as a public adjuster apprentice under the license for which the applicant has applied, and thereafter maintain the bond unimpaired throughout the existence of the license and for at least 1 year after termination of the license. The bond shall be in favor of the department and shall specifically authorize recovery by the department of the damages sustained in case the licensee commits fraud or unfair practices

in connection with his or her business as a public adjuster apprentice. The aggregate liability of the surety for all such damages may not exceed the amount of the bond, and the bond may not be terminated by the issuing insurer unless written notice of at least 30 days is given to the licensee and filed with the department.

(4) A public adjuster apprentice shall complete at a minimum 100 hours of employment per month for 12 months of employment under the supervision of a licensed and appointed all-lines public adjuster in order to qualify for licensure as a public adjuster. The department may adopt rules that establish standards for such employment requirements.

(5) A supervising public adjuster shall be responsible and accountable for the acts of a public adjuster apprentice which are related to transacting business as a public adjuster apprentice.

(6) An apprentice license is effective for 18 months unless the license expires due to lack of maintaining an appointment; is surrendered by the licensee; is terminated, suspended, or revoked by the department; or is canceled by the department upon issuance of a public adjuster license. The department may not issue a public adjuster apprentice license to any individual who has held such a license in this state within 2 years after expiration, surrender, termination, revocation, or cancellation of the license.

(7) After completing the requirements for employment as a public adjuster apprentice, the licensee may file an application for a public adjuster license. The applicant and supervising public adjuster or public adjusting firm must each file a sworn affidavit, on a form prescribed by the department, verifying that the employment of the public adjuster apprentice meets the requirements of this section.

(8) In no event shall a public adjuster apprentice licensed under this section perform any of the functions for which a public adjuster's license is required after expiration of the public adjuster apprentice license without having obtained a public adjuster license.

(9) A public adjuster apprentice has the same authority as the licensed public adjuster or public adjusting firm that employs the apprentice except that an apprentice may not execute contracts for the services of a public adjuster or public adjusting firm and may not solicit contracts for the services except under the direct supervision and guidance of the supervisory public adjuster. An individual may not be, act as, or hold himself or herself out to be a public adjuster apprentice unless the individual is licensed and holds a current appointment by a licensed public all-lines adjuster or a public adjusting firm that employs a licensed all-lines public adjuster.

Section 10. Effective October 1, 2008, subsections (1) and (4) of section 626.869, Florida Statutes, are amended to read:

626.869 License, adjusters*; continuing education*.—

(1) An applicant for a license as an adjuster may qualify and his or her license when issued may cover adjusting in any one of the following classes of insurance:

(a) All lines of insurance except life and annuities.

(b) Motor vehicle physical damage insurance.

(c) Property and casualty insurance.

(d) Workers' compensation insurance.

(e) Health insurance.

No examination on worker's compensation insurance or health insurance shall be required for public adjusters.

(4)(a) Any individual holding a license *as a company employee adjuster or independent adjuster* for 24 consecutive months or longer must, beginning in his or her birth month and every 2 years thereafter, have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current insurance laws of this state, so as to enable 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 policy or contract and the laws of this state.

(b) Any individual holding a license as a public adjuster for 24 consecutive months or longer, beginning in their birth month and every 2 years thereafter, must have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current laws of this state pertaining to all lines of insurance other than life and annuities, *the current laws of this state pertaining to the duties and responsibilities of public adjusters as set forth in this part, and the current rules of the department applicable to public adjusters and standard or representative policy forms used by insurers, other than forms for life insurance and annuities,* so as to enable him or her to engage in business as an adjuster fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and laws of this state. *In order to receive credit for continuing education courses, public adjusters must take courses that are specifically designed for public adjusters and approved by the department, provided, however, no continuing education course shall be required for public adjusters for worker's compensation insurance or health insurance.*

(c) The department shall adopt rules necessary to implement and administer the continuing education requirements of this subsection. For good cause shown, the department may grant an extension of time during which the requirements imposed by this section may be completed, but such extension of time may not exceed 1 year.

(d) A nonresident public adjuster must complete the continuing education requirements provided by this section; provided, a nonresident public adjuster may meet the requirements of this section if the continuing education requirements of the nonresident public adjuster's home state are determined to be substantially comparable to the requirements of this state's continuing education requirements and if the resident's state recognizes reciprocity with this state's continuing education requirements. A nonresident public adjuster whose home state does not have such continuing education requirements for adjusters, and who is not licensed as a nonresident adjuster in a state that has continuing education requirements and reciprocates with this state, must meet the continuing education requirements of this section.

Section 11. Effective October 1, 2008, section 626.8698, Florida Statutes, is amended to read:

626.8698 Disciplinary guidelines for public adjusters *and public adjuster apprentices*.—The department may deny, suspend, or revoke the license of a public adjuster *or public adjuster apprentice*, and administer a fine not to exceed $5,000 per act, for any of the following:

(1) Violating any provision of this chapter or a rule or order of the department;

(2) Receiving payment or anything of value as a result of an unfair or deceptive practice;

(3) Receiving or accepting any fee, kickback, or other thing of value pursuant to any agreement or understanding, oral or otherwise; entering into a split-fee arrangement with another person who is not a public adjuster; or being otherwise paid or accepting payment for services that have not been performed;

(4) Violating s. 316.066 or s. 817.234;

(5) Soliciting or otherwise taking advantage of a person who is vulnerable, emotional, or otherwise upset as the result of a trauma, accident, or other similar occurrence; or

(6) Violating any ethical rule of the department.

Section 12. Effective January 1, 2009, subsection (4) is added to section 626.870, Florida Statutes, to read:

626.870 Application for license.—

(4) A license, an appointment, or eligibility that has been suspended may not be reinstated except upon the filing and approval of an application for reinstatement in accordance with s. 626.641. In addition, for reinstatement of a public adjuster's license, appointment, or eligibility, the individual must pass the public adjuster licensing examination. An application for reinstatement must be accompanied by any applicable examination fee. Successful completion of the examination does not entitle the applicant to have a license reinstated. The application is subject to denial pursuant to ss. 626.207, 626.611, 626.621, and 626.8698. If the

department approves an application for reinstatement, the applicant shall be notified that the license will be reinstated upon payment by the applicant of the reinstatement fee contained in s. 624.501(15).

Section 13. Effective January 1, 2009, paragraphs (b) and (e) of subsection (1) and paragraphs (b) and (c) of subsection (2) of section 626.8732, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

626.8732 Nonresident public adjuster's qualifications, bond.—

(1) The department shall, upon application therefor, issue a license to an applicant for a nonresident public adjuster's license upon determining that the applicant has paid the applicable license fees required under s. 624.501 and:

(b) Has passed to the satisfaction of the department a written Florida public adjuster's examination of the scope prescribed in s. 626.241(6)~~; however, the requirement for such an examination does not apply to any of the following:~~

~~1. An applicant who is licensed as a resident public adjuster in his or her state of residence, when that state requires the passing of a written examination in order to obtain the license and a reciprocal agreement with the appropriate official of that state has been entered into by the department; or~~

~~2. An applicant who is licensed as a nonresident public adjuster in a state other than his or her state of residence when the state of licensure requires the passing of a written examination in order to obtain the license and a reciprocal agreement with the appropriate official of the state of licensure has been entered into by the department~~.

(e) Has *been licensed and employed as a public adjuster in the applicant's state of residence on a continual basis for the past 3 years, or, if the applicant's state of residence does not issue licenses to individuals who act as public adjusters, the applicant has been licensed and employed as a resident insurance company or independent adjuster, insurance agent, insurance broker, or other insurance representative in his or her state of residence or any other state on a continual basis for the past 3 years. This paragraph does not apply to individuals who are licensed to transact only life insurance and annuity business* ~~had sufficient experience, training, or instruction concerning the adjusting of damages or losses under insurance contracts, other than life and annuity contracts; is sufficiently informed as to the terms and effects of the provisions of those types of insurance contracts; and possesses adequate knowledge of the laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom he or she may have business as a public adjuster~~.

(2) The applicant shall furnish the following with his or her application:

(b) If currently licensed as a resident public adjuster in the applicant's state of residence, a certificate or letter of authorization from the licensing authority of the applicant's state of residence, stating that the applicant holds a current or comparable license to act as a public adjuster *and has held the license continuously for the past 3 years*. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether the adjuster has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

(c) If the applicant's state of residence does not require licensure as a public adjuster and the applicant has been licensed as a resident insurance adjuster, agent, broker, or other insurance representative in his or her state of residence or any other state ~~within the past 3 years~~, a certificate or letter of authorization from the licensing authority stating that the applicant holds or has held a license to act as such an insurance adjuster, agent, or other insurance representative *and has held the license continuously for the past 3 years*. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether or not the adjuster, agent, or other insurance representative has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

(6) If available, the department shall verify the nonresident applicant's licensing status through the producer database maintained by the National Association of Insurance Commissioners or its affiliates or subsidiaries.

Section 14. Effective October 1, 2008, section 626.8796, Florida Statutes, is created to read:

626.8796 Public adjuster contracts; fraud statement.—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. 775.803, or s. 775.084, Florida Statutes."

Section 15. Effective October 1, 2008, section 626.8797, Florida Statutes, is created to read:

626.8797 Proof of loss; fraud statement.—All proof of loss statements must prominently display the following statement: "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. 775.803, or s. 775.084, Florida Statutes."

And the title is amended as follows:

Remove line 2 and insert: An act relating to insurance; amending s. 624.501, F.S.; providing for filing fees for an application for reinstatement of a suspended license; amending s. 626.015, F.S.; redefining the term "adjuster" to include a public adjuster apprentice; amending s. 626.221, F.S.; providing that certain company employee adjusters and independent adjusters seeking reinstatement of a suspended license are not required to take an examination; amending s. 626.241, F.S.; requiring that the Department of Financial Services create an examination for applicants seeking licensure as a public adjuster and a separate examination for applicants seeking licensure as a company employee adjuster or independent adjuster; providing that an examination on worker's compensation insurance or health insurance may not be required for public adjusters; amending s. 626.641, F.S.; providing that a suspended license may not be reinstated unless the individual seeking reinstatement files an application for reinstatement which is subsequently approved by the department; prohibiting the department from approving such an application under certain circumstances; amending s. 626.854, F.S.; prohibiting a public adjuster from soliciting or entering into a contract with any insured or claimant under an insurance policy for a specified period after the occurrence of an event that may be the subject of a claim; providing an exception; providing that a public adjuster's contract to adjust a claim may be canceled by the client without penalty within a specified period after the execution of the contract; requiring that a public adjuster disclose to a client his or her right to cancel a contract by specified means; providing an exception during a state of emergency; specifying an unfair and deceptive insurance trade practice; prohibiting a public adjuster, apprentice, or his or her agent from giving or offering a monetary loan or an article in excess of a specified value to a client or prospective client; prohibiting a public adjuster from basing any charge, fee, payment, commission, or compensation relating to a supplemental claim on the corresponding previous settlement or claim payment; prohibiting a public adjuster from charging, agreeing to, or accepting a fee, payment, commission, or any compensation in excess of certain amounts; providing application; requiring public adjusters to provide claimants or insureds a written estimate of certain losses relating to claims for payment of insurance proceeds; requiring adjusters to retain estimates for a specified time and make estimates available to claimants, insureds, and the department; creating s. 626.8541, F.S.; defining the term "public adjuster apprentice"; amending s. 626.865, F.S.; providing qualifications that an applicant must possess before the

issuance of a license by the department; requiring that certain persons applying for a license after the completion of a period of suspension, termination, cancellation, revocation, or expiration must pass the examination required for licensure as a public adjuster; creating s. 626.8651, F.S.; providing requirements for licensure as a public adjuster apprentice; requiring that the department approve an application under certain circumstances; requiring that all license fees be paid before the department issues a license; requiring the applicant to file a bond in a specified amount in favor of the department; providing for termination of the bond; requiring that the apprentice's work be supervised by a licensed adjuster in good standing; authorizing the department to adopt rules governing employment requirements; providing that the supervising adjuster is responsible for the acts of the apprentice; providing a period of effectiveness for an apprentice license; providing that an individual licensed as an apprentice may file an application for licensure as a public adjuster after a specified period of employment as an apprentice; requiring that a sworn affidavit containing certain information accompany such application; prohibiting an apprentice from performing any functions for which a license is required after the expiration of his or her license for apprenticeship without first obtaining a license to work as a public adjuster; limiting the authority of a public adjuster apprentice; amending s. 626.869, F.S.; providing that an examination on worker's compensation insurance or health insurance may not be required for public adjusters; providing for continuing education for company employee adjusters, independent adjusters, and public adjusters; providing for the satisfaction of continuing education requirements for nonresident adjusters; amending s. 626.8698, F.S.; providing disciplinary guidelines for public adjusters and public adjuster apprentices; amending s. 626.870, F.S.; providing requirements for the reinstatement of a suspended license, an appointment, or eligibility; providing for the notification of approval of an application for reinstatement; amending s. 626.8732, F.S.; revising requirements for licensure as a nonresident public adjuster; providing exceptions to such requirements; requiring that an applicant for licensure as a nonresident public adjuster provide certain information with his or her application; requiring that the department verify the nonresident applicant's licensing status; creating s. 626.8796, F.S.; requiring that all contracts for services by a public adjuster be in writing and contain a specified statement regarding fraud; creating s. 626.8797, F.S.; requiring that proof of loss statements contain a specified statement regarding fraud; amending s.

House Amendment 8 (824245)(with title amendment)—Between lines 117and 118 insert:

Section 3. *The Legislature finds that the Uniform Commercial Code insurance product authorized by section 1 of Chapter 2005-153, Laws of Florida, will open new markets in this state and will result in generation of new revenue for the state. Accordingly, title insurers may petition for a rate deviation as provided by s. 627.783, Florida Statutes, for the uniform commercial code insurance product. In determining whether to approve such petition for a rate deviation for the uniform commercial code insurance product, the office shall be guided by standards for national rates for the product currently being offered in other states.*

And the title is amended as follows:

Remove line 17 and insert: dismissed; providing legislative intent relating to certain Uniform Commercial Code insurance products; authorizing title insurers to petition for a rate deviation for certain insurance products under certain circumstances; providing criteria for the Office of Insurance Regulation; providing effective dates.

House Amendment 9 (794475)(with title amendment)—Between lines 117 and 118, insert:

Section 3. Paragraph (b) of subsection (4) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(4) REIMBURSEMENT CONTRACTS.—

(b)1. The contract shall contain a promise by the board to reimburse the insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses.

2. The insurer must elect one of the percentage coverage levels specified in this paragraph and may, upon renewal of a reimbursement contract, elect a lower percentage coverage level if no revenue bonds issued under subsection (6) after a covered event are outstanding, or elect a higher percentage coverage level, regardless of whether or not revenue bonds are outstanding. All members of an insurer group must elect the same percentage coverage level. Any joint underwriting association, risk apportionment plan, or other entity created under s. 627.351 must elect the 90-percent coverage level.

3. The contract shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.

4. Notwithstanding any other provision contained in this section, the board shall make available to insurers that purchased coverage provided by this subparagraph in *2007* ~~2006~~, insurers qualifying as limited apportionment companies under s. 627.351(6)(c), and insurers that *have been* ~~were~~ approved to participate in ~~2006 or that are approved in 2007 for~~ the Insurance Capital Build-Up Incentive Program pursuant to s. 215.5595~~,~~ a contract or contract addendum that provides an additional amount of reimbursement coverage of up to $10 million. The premium to be charged for this additional reimbursement coverage shall be 50 percent of the additional reimbursement coverage provided, which shall include one prepaid reinstatement. The minimum retention level that an eligible participating insurer must retain associated with this additional coverage layer is 30 percent of the insurer's surplus as of December 31, *2007* ~~2006~~. This coverage shall be in addition to all other coverage that may be provided under this section. The coverage provided by the fund under this subparagraph shall be in addition to the claims-paying capacity as defined in subparagraph (c)1., but only with respect to those insurers that select the additional coverage option and meet the requirements of this subparagraph. The claims-paying capacity with respect to all other participating insurers and limited apportionment companies that do not select the additional coverage option shall be limited to their reimbursement premium's proportionate share of the actual claims-paying capacity otherwise defined in subparagraph (c)1. and as provided for under the terms of the reimbursement contract. Coverage provided in the reimbursement contract *shall* ~~will~~ not be affected by the additional premiums paid by participating insurers exercising the additional coverage option allowed in this subparagraph. This subparagraph expires on May 31, *2009* ~~2008~~.

And the title is amended as follows:

Remove line 17 and insert: dismissed; amending s. 215.555, F.S.; extending for an additional year the offer of reimbursement coverage for specified insurers; revising the qualifying criteria for such insurers; revising provisions to conform; providing effective dates.

House Amendment 10 (320751)(with title amendment)—Remove line(s) 117-118 and insert:

Section 3. Effective January 1, 2009, 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. Also, an applicant for license as a customer representative who has *earned an associate's 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 4. Subsection (2), paragraph (f) of subsection (3), and paragraph (j) of subsection (4) of section 626.2815, Florida Statutes, are amended to read:

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

(2) *Except as otherwise provided in this section,* the provisions of this section apply to persons licensed to engage in the sale of insurance in this state for all lines of insurance for which an examination is required for licensing *and to each insurer, employer, or appointing entity, including, but not limited to, those created or existing pursuant to s. 627.351.* The provisions of this section shall not apply to any person holding a license for the sale of any line of insurance for which an examination is not required by the laws of this state, nor shall the provisions of this section apply to any limited license as the department may exempt by rule.

(3)

(f)*1. Except as provided in subparagraph 2.,* compliance with continuing education requirements is a condition precedent to the issuance, continuation, reinstatement, or renewal of any appointment subject to this section.

2.a. An appointing entity, except one that appoints individuals who are employees or exclusive independent contractors of the appointing entity, may not require, directly or indirectly, as a condition of such appointment or the continuation of such appointment, the taking of an approved course or program by any appointee or potential appointee that is not of the appointee's choosing.

b. Any entity created or existing pursuant to s. 627.351 may require employees to take training of any type relevant to their employment but may not require appointees who are not employees to take any approved course or program unless the course or program deals solely with the appointing entity's internal procedures or products or with subjects substantially unique to the appointing entity.

(4) The following courses may be completed in order to meet the continuing education course requirements:

(j) Any course, including courses relating to agency management or errors and omissions, developed or sponsored by any authorized insurer or recognized agents' association or insurance trade association or any independent study program of instruction, subject to approval by the department, qualifies for the equivalency of the number of classroom hours assigned thereto by the department. However, unless otherwise provided in this section, continuing education hours may not be credited toward meeting the requirements of this section unless the course is provided by classroom instruction or results in a monitored examination. A monitored examination is not required for*:*

1. An independent study program of instruction ~~that is~~ presented through interactive, online technology that the department determines has sufficient internal testing to validate the student's full comprehension of the materials presented*; or*

2. An independent study program of instruction presented on paper or in printed material that imposes a final closed book examination that meets the requirements of the department's rule for self-study courses. The examination may be taken without a proctor provided the student presents to the provider a sworn affidavit certifying that the student did not consult any written materials or receive outside assistance of any kind or from any person, directly or indirectly, while taking the examination. If the student is an employee of an agency or corporate entity, the student's supervisor or a manager or owner of the agency or corporate entity must also sign the sworn affidavit. If the student is self-employed, a sole proprietor, or a partner, or if the examination is administered online, the sworn affidavit must also be signed by a disinterested third party. The sworn affidavit must be received by the approved provider prior to reporting continuing education credits to the department.

Section 5. Subsections (6) and (7) of section 626.381, Florida Statutes, are renumbered as subsections (8) and (9), respectively, and new subsections (6) and (7) are added to that section to read:

626.381 Renewal, continuation, reinstatement, or termination of appointment.—

(6) An appointing entity may require an appointee to attend training and education programs of the appointing entity in order for the appointee to receive a new appointment or maintain an existing appointment. However, an appointing entity may not require, directly or indirectly, any appointee to attend any training programs that are wholly or partially approved for general continuing education credit as provided in s. 626.2815.

(7) Each appointing entity may appoint only those persons who have met the continuing education requirements of the license necessary for such appointment as provided in s. 626.2815. However, an appointing entity may not make or allow, directly or indirectly, the appointment of any appointee or potential appointee to be contingent, in whole or in part, on any appointee's attendance at any course that is approved, in whole or in part, for continuing education credit pursuant to s. 626.2815.

And the title is amended as follows:

Remove line 17 and insert: dismissed; amending s. 626.221, F.S.; expanding the list of applicants eligible for exemption from certain examination requirements; amending s. 626.2815, F.S.; expanding application of certain continuing education requirements; providing limited exceptions to compliance with continuing education requirements as a condition precedent to certain appointments; providing an exception to certain examination monitoring requirements; providing exception requirements; amending s. 626.381, F.S.; authorizing appointing entities to require appointees to attend certain training and education programs for certain purposes; providing an exception; limiting an appointing entity's appointment authority; prohibiting appointments to be contingent upon an appointee's attendance at certain courses; providing effective dates.

House Amendment 11 (389549)(with title amendment)—Between line(s) 117-118 and insert:

Section 3. *Upon the request of a consumer reporting agency, as defined by the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., which consumer reporting agency is on compliance with the confidentiality requirements of such act, the Citizens Property Insurance Corporation shall electronically report claims data and histories to such consumer reporting agency which maintains a database of similar data for use in connection with the underwriting of insurance involving a consumer.*

And the title is amended as follows:

Remove line 17 and insert: dismissed; requiring Citizens Property Insurance Corporation to electronically report certain claims data and histories to certain consumer reporting agencies; providing effective dates.

On motion by Senator Deutch, the Senate concurred in the House amendments

CS for CS for SB 2012 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bullard	Garcia	Oelrich
Carlton	Geller	Peaden
Constantine	Haridopolos	Posey
Crist	Hill	Rich
Dawson	Jones	Ring
Dean	Joyner	Saunders

Siplin	Villalobos	Wilson
Storms	Webster	Wise

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2310, with 2 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2310—A bill to be entitled An act relating to stimulating the economy; providing legislative findings and intent; amending s. 215.44, F.S.; requiring the State Board of Administration to report on the amount and type of technology and growth investments held by each fund; amending s. 215.47, F.S.; authorizing the board to invest a certain percentage of net assets in technology and growth investments; increasing the percentage amount of alternative investments in any fund, including investments that are not publicly traded or specifically authorized; authorizing the board to offer opportunities to small state-based investment management firms; creating s. 215.474, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to perform an annual review of technology and growth investments made by the board and report to the Legislature; creating the Reusable Space Vehicle Industry Prize Program within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for a specified cash prize to be awarded to the individual or firm providing the most significant advancements within the reusable space vehicle industry during a specified period; requiring that the Lieutenant Governor serve as chair of the program and appoint a committee; requiring that the committee perform certain tasks; requiring that the office adopt certain rules; providing for the program to terminate on a specified date; providing an effective date.

House Amendment 2 (089421)(with title amendment)—Remove line 93 and insert:

sciences. For the purposes of this chapter, "life sciences" means the use of information technology, engineering, and biological and chemical sciences for the development and production of goods and services, including, but not limited to, drug development, medical implants and devices, bio-related diagnostic products, bioagriculture technologies, biosecurity, biofuels, and bio-related applications.

And the title is amended as follows:

Remove line 8 and insert: technology and growth investments; providing definitions; increasing the

House Amendment 3 (913301)(with title amendment)—Remove lines 108-119 and insert: *investments made in Florida-based companies by the State Board of Administration and submit its findings to the State Board of Administration, the President of the Senate, and the Speaker of the House of Representatives by January 15 of each year. The office may consult with the board, the Department of Revenue, the Office of Economic and Demographic Research, and other entities as necessary to obtain and evaluate the information requested. The annual review shall include:*

(1) The dollar amount of technology and growth investments in the state made by the board during the previous year ending June 30 and the investment's percentage share of the system trust fund's net assets.

(2) A list of investments in the state identified by the board as

And the title is amended as follows:

Remove line 15 and insert: perform an annual review of certain technology and growth

On motion by Senator Ring, the Senate concurred in the House amendments.

CS for SB 2310 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—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2422, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2422—A bill to be entitled An act relating to local government finance; amending s. 215.441, F.S.; providing that the appointment of the executive director of the State Board of Administration be confirmed by the Senate and approved by a majority vote of the trustees of the board; amending s. 215.442, F.S.; requiring the executive director of the State Board of Administration to present the trustees with additional information; providing that the executive director is a state officer and subject to financial disclosure requirements; amending s. 218.401, F.S.; clarifying purpose and intent; amending s. 218.403, F.S.; defining the terms "board" and "trustees" for purposes of the Investment of Local Government Surplus Funds Act; amending s. 218.405, F.S.; providing for the administration of the Local Government Surplus Funds Trust Fund; providing duties of Trustees of the State Board of Administration; amending s. 218.407, F.S.; requiring that the board provide a unit of local government with certain information before such unit makes a determination that it is in the best interest of the local government unit to deposit surplus funds in the trust fund; requiring the filing of a resolution upon such determination; requiring that the resolution contain certain information; requiring that the board invest the moneys in the trust fund in a certain manner; amending s. 218.409, F.S.; providing duties of the board with regard to the administration of the trust fund; providing for the establishment of a reserve account; requiring monthly allocations to the reserve account; limiting the amount of monthly allocations; requiring that the board report annually to every participant having a beneficial interest in the trust fund; providing for the preparation of the report; providing that such report is subject to independent financial audit; requiring that the board provide a monthly statement to beneficiaries; requiring that such statement contain certain information; requiring that the Investment Advisory Council assist the board in investing moneys held in the trust fund; providing duties of the council; creating the Pool Participant Advisory Council; providing purposes for the council; providing for membership and composition of the council; requiring that the executive director of the State Board of Administration consider appropriate action and advise the trustees accordingly under certain circumstances; providing duties of the trustees under such circumstances; authorizing the trustees to perform certain actions for the purpose of ensuring the proper exercise of fiduciary responsibility; authorizing the trustees to place assets of the trust fund into a liquidating account; providing for the maintenance and administration of such liquidating accounts; providing powers and duties of trustees with regard to assets in a liquidating account; providing for distribution of cash received from income or liquidation of assets held in a liquidating account; requiring the audit of such accounts; authorizing certain reasonable expenses to be charged to a liquidating account; excluding certain information related to assets held in liquidating accounts from certain statements; requiring that separate statements be issued for such information; providing for the transfer of reserves held in a liquidating account; requiring that the status of such accounts be reported regularly

to the trustees, participants in the fund, the Investment Advisory Council, and the Pool Participant Advisory Council; providing an effective date.

House Amendment 1 (495503)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 218.401, Florida Statutes, is amended to read:

218.401 Purpose.—It is the intent of this part to promote, through state assistance, the maximization of net interest earnings on invested surplus funds of local units of government, *based on the principals of investor protection, mandated transparency, and proper governance, with the goal of* ~~thereby~~ reducing the need for imposing additional taxes.

Section 2. Section 218.403, Florida Statutes, is amended to read:

218.403 Definitions.—The following words or terms, when used in this part, shall have the following meanings:

(1) "Board" means the State Board of Administration.

(2)~~(1)~~ "Chief Financial Officer" means the mayor, manager, administrator, clerk, comptroller, treasurer, director of finance, or other local government official, regardless of the title of his or her office, charged with administering the fiscal affairs of a unit of local government.

(3)~~(2)~~ "Current expenses" means expenses to meet known cash needs and anticipated cash-flow requirements for the short term.

(4) "GASB" means the Governmental Accounting Standards Board.

(5) "GFOA" means the Government Finance Officers Association.

(6)~~(3)~~ "Governing body" means the body or board in which the legislative power of a unit of local government is vested.

(7)~~(4)~~ "Short term" means a maximum of 6 months of operation.

(8)~~(5)~~ "Surplus funds" means any funds in any general or special account or fund of a unit of local government, or funds held by an independent trustee on behalf of a unit of local government, which in reasonable contemplation will not be immediately needed for the purposes intended.

(9)~~(6)~~ "Trust fund" means the pooled investment fund created by s. 218.405 and known as the Local Government Surplus Funds Trust Fund.

(10) "Trustees" mean the Trustees of the State Board of Administration.

(11)~~(7)~~ "Unit of local government" means any governmental entity within the state not part of state government and shall include, but not be limited to, the following and the officers thereof: any county, municipality, school district, special district, clerk of the circuit court, sheriff, property appraiser, tax collector, supervisor of elections, authority, board, public corporations, or any other political subdivision of the state.

Section 3. Section 218.405, Florida Statutes, is amended to read:

218.405 Local Government Surplus Funds Trust Fund; creation*; objectives; certification; interest; rulemaking*.—

(1) There is hereby created a Local Government Surplus Funds Trust Fund to be administered by the ~~State~~ board ~~of Administration~~ and to be composed of local government surplus funds deposited therein by units of local government under the procedures established in this part. *The board may contract with a professional money management firm to manage the trust fund.*

(2) The primary objectives, in priority order, of investment activities shall be safety, liquidity, and competitive returns with minimization of risks.

(3) The trustees shall annually certify to the Joint Legislative Auditing Committee that the trust fund is in compliance with the requirements of this part and that the trustees have conducted a review of the trust fund and determined that the management of the trust fund is in accord with best investment practices.

(4) The board may adopt rules to administer the provisions of this section.

Section 4. Section 218.407, Florida Statutes, is amended to read:

218.407 Local government investment authority.—

(1) Prior to any determination by the governing body that it is in the interest of the unit of local government to deposit surplus funds in the trust fund, the board or a professional money management firm must provide to the governing body enrollment materials, including a trust fund profile containing impartial educational information describing the administration and investment policy of the trust fund, including, but not limited to:

(a) All rights and conditions of participation, including potential restrictions on withdrawals.

(b) The historical performance, investment holdings, credit quality, and average maturity of the trust fund investments.

(c) The applicable administrative rules.

(d) The rate determination processes for any deposit or withdrawal.

(e) Any fees, charges, penalties, and deductions that apply to the account.

(f) The most recently published financial statements or independent audits, if available, prepared under generally accepted accounting principles.

(g) A disclosure statement for signature by the appropriate local government official.

(2)~~(1)~~ *Upon review of the enrollment materials and* upon determination by the governing body that it is in the interest of the unit of local government to deposit surplus funds in the trust fund, a resolution by the governing body *and the signed acceptance of the disclosure statement by the local government official, who may be the chief financial or administrative officer of the local government,* shall be filed with the ~~State~~ board *and, if appropriate, a copy shall be provided to a professional money management firm* ~~of Administration~~ authorizing investment of its surplus funds in the trust fund established by this part. The resolution shall name:

(a) The local government official, who may be the chief financial or administrative officer of the local government, or

(b) An independent trustee holding funds on behalf of the unit of local government,

responsible for deposit and withdrawal of such funds.

(3)~~(2)~~ The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall, upon the filing of the resolution, invest the moneys in the trust fund in the same manner and subject to the same restrictions as are set forth in s. 215.47. ~~Except when authorized by the board,~~ All units of local government *that* ~~which~~ qualify to be participants in the ~~Local Government Surplus Funds~~ trust fund *shall* ~~after January 1, 1982, will normally~~ have surplus funds deposited into a pooled investment account.

(4)~~(3)~~ The provisions of this part shall not impair the power of a unit of local government to hold funds in deposit accounts with banking or savings institutions or to invest funds as otherwise authorized by law.

Section 5. Section 218.409, Florida Statutes, is amended to read:

218.409 Administration of the trust fund*; creation of advisory council*.—

(1) Upon receipt of the *items specified in s. 218.407* ~~resolution~~ from the local governing body, the ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall accept all wire transfers of funds into the trust fund. The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall also wire-transfer invested local government funds to the local government upon request of the local government official named in the resolution.

(2)*(a)* The *trustees shall ensure that the* ~~State~~ board *or a professional money management firm administers* ~~of Administration shall administer~~ the ~~investment~~ trust *fund* ~~funds~~ on behalf of the participants*. The board or a professional money management firm* ~~and~~ shall have the power to invest such funds *in accordance with a written investment policy. The investment policy shall be updated annually to conform to best investment practices. The standard of prudence to be used by investment officials shall be the fiduciary standards as set forth in s. 215.47(9), which shall be applied in the context of managing an overall portfolio. Portfolio managers acting in accordance with written procedures and an investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this part.*

(b) Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business on behalf of the trust fund. They shall further disclose any personal financial or investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the board.

(c) The board or a professional money management firm and all employees have an affirmative duty to immediately disclose any material impact to the trust fund to the participants. To ensure such disclosure, a system of internal controls shall be established by the board, which shall be documented in writing as part of the investment policy. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the board or a professional money management firm. The controls shall also include formal escalation reporting guidelines for all employees. The guidelines shall establish procedures to address material impacts on the trust fund that require reporting and action.

(d) The investment policy shall be reviewed and approved annually by the trustees or when market changes dictate, and in each event the investment policy shall be reviewed by the Investment Advisory Council and by the Participant Local Government Advisory Council ~~A fee may be charged on any transaction that is not in accord with the close of business as set by the board~~.

(3) The ~~State~~ board *or a professional money management firm* ~~of Administration~~ may purchase such surety or other bonds as may be necessary for its officials in order to protect the *trust* fund. A reserve fund may be established to fulfill this purpose. *However, any reserve must be a portion of the management fee and must be fully disclosed, including its purpose, in the enrollment materials at the time a unit of local government considers participation. Further, any change in the amount to be charged for a reserve must have a reasonable notice period to allow any participant to withdraw from the trust fund prior to the new reserve charge being imposed.*

(4) ~~All investments may be purchased jointly for the participants in the trust fund.~~ The board *or a professional money management firm shall* ~~may also~~ purchase investments for a pooled investment account in which all participants ~~may~~ share pro rata~~, as determined by rule of the board,~~ in the capital gain, income, or losses, subject to any penalties for early withdrawal. *Any provisions for penalties, including their purpose, must be disclosed in the enrollment materials. Any change in the amount to be charged for a penalty must have a reasonable notice period to allow any participant to withdraw from the trust fund prior to the new penalty charge being imposed* ~~The board shall determine the rate of return for the pooled investment account~~. A system *shall* ~~may~~ be developed by the board*, and disclosed in the enrollment materials, subject to annual approval by the trustees,* to keep ~~current~~ account *balances current* ~~balance information~~ and to apportion pooled investment earnings ~~back~~ to individual accounts.

(5) The ~~State~~ board ~~of Administration~~ shall keep a separate account, designated by name and number of each participating local government. A maximum number of accounts allowed for each participant may be established by the board. Individual transactions and totals of all investments, or the share belonging to each participant, shall be recorded in the accounts.

(6)*(a)* The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall *provide a* report*, at a minimum monthly* ~~semiannually~~ or upon *the occurrence of a material event,* ~~request~~ to every participant having a beneficial interest in the trust fund *, the board's executive director, the trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council*. The report shall *include:*

1. Reports of any material impacts on the trust fund and any actions or escalations taken by staff to address such impacts. The trustees shall provide quarterly a report to the Joint Legislative Auditing Committee that the trustees have reviewed and approved the monthly reports and actions taken, if any, to address any impacts.

2. A management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last month. This management summary shall be prepared in a manner that will allow anyone to ascertain whether investment activities during the reporting period have conformed to investment policies. Such reporting shall be in conformance with best market practices ~~show the changes in investments made during the preceding period. The report shall delineate, in a manner which is in accordance with generally accepted governmental accounting procedures, those funds on deposit, the manner in which the funds are invested, and the interest earnings thereon~~. The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall furnish upon request the details of an investment transaction to any participant*, the trustees, the Investment Advisory Council, and the Participant Local Government Advisory Council*.

(b) The market value of the portfolio shall be calculated daily. Withdrawals from the trust fund shall be based on a process that is transparent to participants and will ensure that advantages or disadvantages do not occur to parties making deposits or withdrawals on any particular day. A statement of the market value and amortized cost of the portfolio shall be issued to participants in conjunction with any deposits or withdrawals. In addition, this information shall be reported monthly with the items in paragraph (a) to participants, the trustees, the Investment Advisory Council, and the Participant Local Government Advisory Council. The review of the investment portfolio, in terms of value and price volatility, shall be performed with practices consistent with the GFOA Recommended Practice on "Mark-to-Market Practices for State and Local Government Investment Portfolios and Investment Pools." In defining market value, consideration shall be given to GASB Statement 31. Additional reporting may be made to pool participants *through regular and frequent ongoing multi-media educational materials and communications, including, but not limited to, historical performance, investment holdings, amortized cost and market value of the trust fund, credit quality, and average maturity of the trust fund investments*.

(7) Costs incurred in carrying out the provisions of this part shall be deducted from the interest earnings accruing to the trust fund. Such deductions shall be prorated among the participant local governments in the percentage that each participant's deposits bear to the total trust fund. *The remaining interest earned shall be distributed monthly to participants according to the amount invested. Except for costs, the board or a professional money management firm may not transfer the interest or use the interest for any other purpose, including, but not limited to, making up investment losses.*

(8)(a) The principal, and any part thereof, of each and every account constituting the trust fund shall be subject to payment at any time from the moneys in the *trust* fund *. However, the executive director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the board can invest moneys entrusted to it in exercising its fiduciary responsibility* ~~or as otherwise provided by agreement between the State Board of Administration and the investing unit~~*. Such action shall be immediately disclosed to all participants, the trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council. The trustees shall convene an emergency meeting as soon as practicable from the time the executive director has instituted such measures and review the necessity of those measures. If the trustees agree with such measures, the trustees shall vote to continue*

the measures for up to an additional 15 days. The trustees must convene and vote to continue any such measures prior to the expiration of the time limit set, but in no case may the time limit set by the trustees exceed 15 days.

(b) An order *to withdraw funds* ~~or warrant~~ may not be issued upon any account for a larger amount than the share of the particular account to which it applies; and if such order ~~or warrant~~ is issued, the responsible official shall be personally liable under his or her bond for the entire overdraft resulting from the payment if made.

(9) The Auditor General shall conduct an annual financial audit of the trust fund, which shall include testing for compliance with the investment policy. The completed audit shall be provided to the participants, the board, the trustees, the Investment Advisory Council, the Participant Local Government Advisory Council, and the Joint Legislative Auditing Committee. As soon as practicable, but no later than 30 days after completion of the audit, the trustees shall report to the Joint Legislative Auditing Committee that the trustees have reviewed the audit of the trust fund and shall certify that any necessary items are being addressed by a corrective action plan that includes target completion dates.

(10)(a) There is created a six-member Participant Local Government Advisory Council for the purposes of regularly reviewing the administration of the trust fund and making recommendations regarding such administration to the trustees. The members of the council shall be appointed by the board and subject to confirmation by the Senate. Members must possess special knowledge, experience, and familiarity obtained through active, long-standing, and material participation in the dealings of the trust fund. Each member shall serve a 4-year term. Any vacancy shall be filled for the remainder of the unexpired term. The council shall annually elect a chair and vice chair from within its membership. A member may not serve consecutive terms as chair or vice chair.

(b) The council shall prepare and submit a written biennial report to the board, trustees, the Investment Advisory Council, and the Joint Legislative Auditing Committee that describes the activities and recommendations of the council.

Section 6. Section 218.411, Florida Statutes, is amended to read:

218.411 Authorization for state technical and advisory assistance.—

(1) The ~~State~~ board ~~of Administration~~ is authorized, upon request, to assist local governments in investing funds that are temporarily in excess of operating needs by:

(a) Explaining investment opportunities to such local governments through publication and other appropriate means.

(b) Acquainting such local governments with the state's practice and experience in investing short-term funds.

(c) Providing, in cooperation with the Department of Community Affairs, technical assistance to local governments in investment of surplus funds.

(2) The ~~State~~ board ~~of Administration~~ may establish fees to cover the cost of such services, which shall be paid by the unit of local government requesting such service. Such fees shall be deposited to the credit of the appropriation or appropriations from which the costs of providing the services have been paid or are to be charged.

Section 7. Section 218.412, Florida Statutes, is amended to read:

218.412 Rulemaking authority.—The ~~State~~ board ~~of Administration~~ may adopt rules as it deems necessary to carry out the provisions of this part for the administration of the ~~Local Government Surplus Funds~~ trust fund.

Section 8. Section 218.418, Florida Statutes, is created to read:

218.418 Definitions.—As used in ss. 218.421-218.422, the term:

(1) "Board" means the State Board of Administration.

(2) "Surplus funds" means any funds in any general or special account or fund of a unit of local government, or funds held by an independent trustee on behalf of a unit of local government, which in reasonable contemplation will not be immediately needed for the purposes intended.

(3) "Trust fund" means the pooled investment fund known as the Fund B Surplus Funds Trust Fund.

(4) "Trustees" means the Trustees of the State Board of Administration.

(5) "Unit of local government" means any governmental entity within the state not part of state government and includes, but is not limited to, the following and the officers thereof: any county, municipality, school district, special district, clerk of the circuit court, sheriff, property appraiser, tax collector, supervisor of elections, authority, board, public corporation, or other political subdivision of the state.

Section 9. Section 218.421, Florida Statutes, is created to read:

218.421 Fund B Surplus Funds Trust Fund; purpose; rulemaking; administration; reporting.—

(1)(a) The purpose of the Fund B Surplus Funds Trust Fund is to maximize the payout of principal on invested surplus funds of units of local government formerly in Fund B of the Local Government Surplus Funds Trust Fund through a prudent work out of the trust fund with the ultimate goal of self-liquidating the trust fund through maturity and payout of the investments.

(b) The State Board of Administration may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

(2)(a) The board or a professional money management firm shall administer the trust fund on behalf of the participants based on a written investment policy, approved by the trustees, and shall have the power to work out, restructure, or invest such funds. The trustees shall annually certify to the Joint Legislative Auditing Committee that the trustees have conducted a review of the trust fund and that the trust fund is in compliance with the requirements of this section. Any new investments must be made in money market or equivalent funds. The board or a professional money management firm shall keep a separate account, designated by name and number of each participating local government. Individual transactions and totals of all investments, or the share belonging to each participant, shall be recorded in the accounts. Any moneys accrued in the trust fund shall be subject to payment from the trust fund on a monthly basis to the trust fund participants according to their proportional interest in the trust fund so long as at least $100,000 is in the trust fund at the end of that month. After all securities have matured, been sold, or worked out, a final distribution shall be made to the participants in the trust fund. Participants may not conduct transactions in the trust fund.

(b) The board or a professional money management firm and all employees of the board or firm have an affirmative duty to immediately disclose any material impact to the trust fund to the participants. To ensure such disclosure, a system of internal controls shall be established by the board, which shall be documented in writing as part of the investment policy. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the board or a professional money management firm. The controls shall also include formal escalation reporting guidelines for all employees. The guidelines shall establish procedures to address material impacts on the trust fund that require reporting and action.

(c) The investment policy shall be reviewed and approved by the trustees upon the transfer of the funds into the trust fund or when market changes dictate, and in each event, the investment policy shall be reviewed by the Investment Advisory Council and by the Participant Local Government Advisory Council.

(d) Costs incurred in carrying out the provisions of this section, which shall be prorated among the participants in the percentage that each participant's deposits bear to the total trust fund, may be deducted from any interest earned in the trust fund. The board or a professional money management firm may not transfer the interest or use the interest for any other purpose, including, but not limited to, making up investment losses.

(e) After the trust fund self-liquidates, any remaining reserve may be transferred by the trustees at their sole discretion back to the trust fund from which the assets were originally separated.

(3)(a) The board or a professional money management firm shall provide a report at a minimum, monthly, or upon the occurrence of a

material event, to every participant having a beneficial interest in the trust fund, the board's executive director, the trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council. The report shall include:

1. Reports of any material impacts on the trust fund, and any actions or escalations taken by staff to address such impacts. The trustees shall provide quarterly a report to the Joint legislative Auditing Committee that the trustees have reviewed and approved the monthly reports and actions taken, if any, to address any impacts.

2. A management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last month. This management summary shall be prepared in a manner that will allow anyone to ascertain whether investment activities during the reporting period have conformed to investment policies. Such reporting shall be in conformance with best market practices.

3. The board or a professional money management firm shall furnish upon request the details of an investment transaction to any participant, the trustees, the Investment Advisory Council, and the Participant Local Government Advisory Council.

(b) Additional reporting may be made to participants in the trust fund through regular and frequent ongoing multi-media educational materials and communications, including, but not limited to, historical performance, investment holdings, amortized cost and market value of the trust fund, credit quality, and average maturity of the trust fund investments.

(4) The trustees shall review the board's progress in returning the principal in the trust fund to the participants at each meeting of the board until the trust fund self-liquidates or is terminated by law.

Section 10. Section 218.422, Florida Statutes, is created to read:

218.422 Fund B Surplus Funds Trust Fund; review.—Unless the Fund B Surplus Funds Trust Fund has been terminated by law or through self-liquidation, prior to the 2013 Regular Session of the Legislature, the Auditor General shall review the trust fund and the steps taken up to that time to return as much of the principal to the participants as possible and provide a summary report to the board, the trustees, the President of the Senate, the Speaker of the House of Representatives, the Investment Advisory Council, and the Participant Local Government Advisory Council.

Section 11. *Sections 218.418, 218.421, and 218.422, Florida Statutes, as created by this act, shall expire at the time the Fund B Surplus Funds Trust Fund is terminated by law or self-liquidates as determined and announced by the executive director of the State Board of Administration, whichever occurs first.*

Section 12. This act shall take effect upon becoming a law, if House Bill 7097 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the investment of local government surplus funds; amending s. 218.401, F.S.; revising the purpose of the Investment of Local Government Surplus Funds Act; amending s. 218.403, F.S.; providing definitions; amending s. 218.405, F.S.; authorizing the State Board of Administration to contract with a professional money management firm to administer the trust fund; establishing objectives of the trust fund; providing for trustee certification; amending s. 218.407, F.S.; requiring the distribution of certain enrollment materials to potential investors; specifying the contents of the enrollment materials; requiring the signed acceptance of a disclosure statement by the authorized local government official prior to investing in the trust fund; requiring surplus funds to be invested in pooled investment accounts; amending s. 218.409, F.S.; revising administration of the trust fund; providing standards of care, including level of prudence, ethics and conflicts of interest, and internal controls; providing for annual review and approval of investment policy and controls; providing for reports; revising the use and disclosure of reserves; requiring investments to be made in pooled accounts; requiring establishment and approval of an account balance information system; providing transparency; requiring monthly reports to certain persons and groups; providing criteria of the report; requiring marking to market calculation and reporting; providing criteria; providing for additional reporting; authorizing limiting withdrawals from or contributions to the trust fund under certain circumstances; providing criteria for use of interest by board; requiring an annual financial audit; requiring the audit to be reported to certain persons and groups; requiring certification report by trustees; creating the Participant Local Government Advisory Council; providing for appointments, membership, terms, the filling of vacancies, and officers; requiring biennial reports by the council to certain persons and groups; amending ss. 218.411 and 218.412, F.S.; conforming terminology; creating s. 218.418, F.S.; providing definitions; creating s. 218.421, F.S.; providing for the purpose of the Fund B Surplus Funds Trust Fund; providing rulemaking authority; providing for administration of the trust fund; providing for annual certification by the Trustees of the State Board of Administration to the Joint Legislative Auditing Committee that the trust fund has been reviewed and is in compliance with the requirements of this section; providing restrictions on the trust fund; providing criteria for payment of accrued funds; restricting participant transactions in the trust fund; providing for investment policy criteria; providing procedures for internal controls; providing duty to disclose material impacts on the trust fund; providing for investment policy implementation; providing criteria for payment of costs and use of interest; providing authority to trustees to distribute remaining reserve upon self-liquidation; providing reporting requirements; requiring monthly reports to certain persons and groups; providing criteria of the report; providing for additional reporting; requiring trustee review; creating s. 218.422, F.S.; requiring the Auditor General to review the trust fund prior to the 2013 Regular Session and provide a summary report to certain persons and entities; providing for expiration of ss. 218.418-218.422, F.S., upon termination or self-liquidation of the trust fund; providing a contingent effective date.

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

CS for SB 2422 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—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CONSIDERATION OF BILL OUT OF ORDER

On motion by Senator Alexander, by two-thirds vote **CS for HB 7097** was withdrawn from the Committees on Governmental Operations; and General Government Appropriations.

On motion by Senator Alexander, by unanimous consent—

CS for HB 7097—A bill to be entitled An act relating to trust funds; creating s. 218.417, F.S.; creating the Fund B Surplus Funds Trust Fund within the State Board of Administration; providing for source of funds; providing for transfer of certain funds to the trust fund; providing for annual carryforward of funds; providing for termination of the trust fund upon self-liquidation; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for HB 7097** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise

Nays—1

Villalobos

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 2654, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit limitation; providing for annual adjustments of the maximum benefit limitation; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing for application of the act; providing an effective date.

House Amendment 1 (370293)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Window of Opportunity Act."*

Section 2. Subsection (18) is renumbered as subsection (19) of section 391.026, Florida Statutes, and a new subsection (18) is added to that section to read:

391.026 Powers and duties of the department.—The department shall have the following powers, duties, and responsibilities:

(18) To provide services under contract to the Florida Healthy Kids Corporation for Florida Healthy Kids benefit plans. Children served under this contract are not enrollees of the Children's Medical Services program component of the Florida Kidcare program funded under Title XIX or Title XXI of the Social Security Act.

Section 3. Subsections (13) through (40) of section 393.063, Florida Statutes, are renumbered as subsections (14) through (41), respectively, subsection (9)is amended, and a new subsection (13) is added to that section, to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(9) "Developmental disability" means a disorder or syndrome that is attributable to retardation, cerebral palsy, autism, spina bifida, *Down syndrome,* or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.

(13) "Down syndrome" means a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21.

Section 4. Subsections (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), and (26) of section 409.811, Florida Statutes, are renumbered as subsections (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), and (27), respectively, and a subsection (6) is added to that section, to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.820, the term:

(6) "Autism spectrum disorder" means any of the following disorders as defined with most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder;

2. Asperger syndrome; or

3. Pervasive developmental disorder not otherwise specified.

Section 5. Subsection (7) of section 409.8132, Florida Statutes, is amended to read:

409.8132 Medikids program component.—

(7) ENROLLMENT.—Enrollment in the Medikids program component may occur at any time throughout the year. A child may not receive services under the Medikids program until the child is enrolled in a managed care plan or MediPass. Once determined eligible, an applicant may receive choice counseling and select a managed care plan or MediPass. The agency may initiate mandatory assignment for a Medikids applicant who has not chosen a managed care plan or MediPass provider after the applicant's voluntary choice period ends*; however, the agency shall ensure that family members are assigned to the same managed care plan or the same MediPass provider to the greatest extent possible, including situations in which some family members are enrolled in Medicaid and other family members are enrolled in a Title XXI-funded component of the Florida Kidcare program*. An applicant may select MediPass under the Medikids program component only in counties that have fewer than two managed care plans available to serve Medicaid recipients and only if the federal Health Care Financing Administration determines that MediPass constitutes "health insurance coverage" as defined in Title XXI of the Social Security Act.

Section 6. Subsection (2) of section 409.8134, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

409.8134 Program expenditure ceiling.—

(2) *Open enrollment periods shall consist of:*

(a) Enrollment for premium assistance.—The Florida Kidcare program may conduct enrollment at any time throughout the year for the purpose of enrolling children eligible for all program components listed in s. 409.813 except Medicaid. The four Florida Kidcare administrators shall work together to ensure that the year-round enrollment period is announced statewide. Eligible children *for premium assistance* shall be enrolled on a first-come, first-served basis using the date the enrollment application is received. Enrollment shall immediately cease when the expenditure ceiling is reached. Year-round enrollment *for premium assistance* shall only be held if the Social Services Estimating Conference determines that sufficient federal and state funds will be available to finance the increased enrollment ~~through federal fiscal year 2007~~ . Any individual who is not enrolled must reapply by submitting a new application. The application for the Florida Kidcare program shall be valid for a period of 120 days after the date it was received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application shall be invalid and the applicant shall be notified of the action. The applicant may *reactivate* ~~resubmit~~ the application after notification of the action taken by the program. Except for the Medicaid program, whenever the Social Services Estimating Conference determines that there are presently, or will be by the end of the current fiscal year, insufficient funds to finance the current or projected enrollment in the Florida Kidcare program, all additional enrollment must cease and

additional enrollment may not resume until sufficient funds are available to finance such enrollment.

(b) Open enrollment without premium assistance, effective July 1, 2009.—

1. Effective July 1, 2009, an open enrollment period for the Florida Healthy Kids program for those enrollees not eligible for premium assistance may be held once each fiscal year and may not exceed 30 consecutive calendar days in length. The timing and length of any open enrollment period shall be determined by the Florida Healthy Kids Corporation. Applicants shall be enrolled on a first come, first served basis, based upon the date the application was received. During the 2009-2010 fiscal year, the effective date for new enrollees without premium assistance shall be October 1, 2009. However, for a child who has had his or her coverage in an employer-sponsored or private health benefit plan voluntarily canceled in the last 90 days and who is otherwise eligible to participate without premium assistance the effective date of coverage shall be the end of the 90-day period or October 1, 2009, whichever is later.

2. The following individuals are not subject to the open enrollment period:

a. Enrollees in any Florida Kidcare program component that are determined to be no longer eligible under that component due to changes in income or age. These enrollees may transfer to the Healthy Kids program if such transfer is initiated within 30 days after the loss of such eligibility.

b. Applicants that have adopted a child in the state.

c. Applicants who have had employer-sponsored or private health insurance involuntarily canceled within 30 days prior to submission of the application.

3. Any individual who is not enrolled under this subsection must reapply by submitting a new application during the next open enrollment period. The application for the Florida Kidcare program without premium assistance shall be valid for the period of the open enrollment.

(5) Effective October 1, 2009, upon determination by the Social Service Estimating Conference, in consultation with the agency and the Florida Healthy Kids Corporation, that enrollment of children whose family income exceeds 200 percent of the federal poverty level is projected to raise overall premiums per enrollee by greater than 5_percent of current average premiums in the Florida Healthy Kids plans, the board of directors of the Florida Healthy Kids Corporation may, with the concurrence of the agency, take appropriate actions to reduce the projected cost below the projected_5 percent increase. Actions the board may take may include, but are not limited to:

(a) Reducing habilitative and behavior analysis benefits to enrollees who are receiving these services.

(b) Eliminating habilitative and or behavior analysis services as a benefit in Healthy Kids plans for enrollees and providing enrollees the opportunity to purchase these benefits separately.

(c) Increasing copayments for habilitative and behavior analysis services provided to nonpremium assistance enrollees.

(d) Reducing benefit packages to all nonpremium assistance enrollees.

Section 7. Paragraphs (c) and (f) of subsection (4) and subsections (5), (7), and (8) of section 409.814, Florida Statutes, are amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(c) A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the *90 days* ~~6 months~~ prior to the family's submitting an application for determination of eligibility under the program.

(f) A child who has had his or her coverage in an employer-sponsored *or private* health benefit plan voluntarily canceled in the last *90 days* ~~6 months~~, except those children who were on the waiting list prior to March 12, 2004*, or whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:*

1. The cost of participation in an employer-sponsored or private health benefit plan is greater than 5 percent of the family's income;

2. The parent lost a job that provided an employer-sponsored health benefit plan for children;

3. The parent with health benefits coverage for the child is deceased;

4. The employer of the parent canceled health benefits coverage for children;

5. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

6. The child has exhausted coverage under a COBRA continuation provision; or

7. A situation involving domestic violence led to the loss of coverage.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Medikids program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program *as provided in s. 624.91*, subject to the following provisions:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

(b) *Effective October 1, 2009, new applicants for nonpremium assistance in the Medikids program shall enroll in the Florida Healthy Kids program component of the Florida Kidcare program.* ~~The agency is authorized to place limits on enrollment in Medikids by these children in order to avoid adverse selection. The number of children participating in Medikids whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Medikids program.~~

(c) The board of directors of the Florida Healthy Kids Corporation ~~is authorized to place limits on enrollment of these children in order to avoid adverse selection. In addition, the board~~ is authorized to offer a reduced benefit package to these children in order to limit program costs for such families. ~~The number of children participating in the Florida Healthy Kids program whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Florida Healthy Kids program.~~

(7) When determining or reviewing a child's eligibility under the Florida Kidcare program, the applicant shall be provided with reasonable notice of changes in eligibility which may affect enrollment in one or more of the program components. When a transition from one program component to another is authorized, there shall be cooperation between the program components*,* ~~and~~ the affected family *, the child's health insurance plan, and the child's health care providers to promote* ~~which promotes~~ continuity of health care coverage. *If a child is determined ineligible for Medicaid or Medikids, the agency, in coordination with the department, shall notify that child's Medicaid managed care plan or MediPass provider of such determination before the child's eligibility is scheduled to be terminated so that the Medicaid managed care plan or MediPass provider can assist the child's family in applying for Florida Kidcare program coverage.* Any authorized transfers must be managed within the program's overall appropriated or authorized levels of funding. Each component of the program shall establish a reserve to ensure that transfers between components will be accomplished within current year appropriations. These reserves shall be reviewed by each convening of the Social Services Estimating Conference to determine the adequacy of such reserves to meet actual experience.

(8) In determining the eligibility of a child *for the Florida Kidcare program*, an assets test is not required. *The information required under this section from each applicant shall be obtained electronically to the extent possible. If such information cannot be obtained electronically, the* ~~Each~~ applicant shall provide written documentation during the application process and the redetermination process, including, but not limited to, the following:

(a) Proof of family income, which must include a copy of the applicant's most recent federal income tax return. In the absence of a federal income tax return, an applicant may submit wages and earnings statements (pay stubs), W-2 forms, or other appropriate documents.

(b) A statement from all family members that:

1. Their employer does not sponsor a health benefit plan for employees; or

2. The potential enrollee is not covered by the employer-sponsored health benefit plan because the potential enrollee is not eligible for coverage, or, if the potential enrollee is eligible but not covered, a statement of the cost to enroll the potential enrollee in the employer-sponsored health benefit plan.

An individual who applies for coverage under the Florida Kidcare program and who pays the full cost of the premium is exempt from the requirements of this subsection.

Section 8. Paragraphs (r) through (v) of subsection (2) of section 409.815, Florida Statutes, are redesignated as paragraphs (s) through (w), respectively, present paragraphs (o), (r), and (u) are amended, and a new paragraph (r) is added to that subsection, to read:

409.815 Health benefits coverage; limitations.—

(2) BENCHMARK BENEFITS.—In order for health benefits coverage to qualify for premium assistance payments for an eligible child under ss. 409.810-409.820, the health benefits coverage, except for coverage under Medicaid and Medikids, must include the following minimum benefits, as medically necessary.

(o) Therapy services.—Covered services include *habilitative and* rehabilitative services, including occupational, physical, respiratory, and speech therapies, with the following limitations:

1. Rehabilitative services are limited to:

a.~~1.~~ ~~Services must be for~~ Short-term rehabilitation *when* ~~where~~ significant improvement in the enrollee's condition will result; and

b.~~2.~~ ~~Services shall be limited to~~ Not more than 24 treatment sessions within a 60-day period per episode or injury, with the 60-day period beginning with the first treatment.

2. Effective October 1, 2009, habilitative services shall be offered and are limited to:

a. Habilitation when improvements in and maintenance of human behavior, skill acquisition, and communication will result; and

b. Enrollees that are diagnosed with a developmental disability as defined in s. 393.063 or autism spectrum disorder.

(r) Behavior analysis services.—Effective October 1, 2009, behavior analysis and behavior assistant services shall be covered for enrollees that are diagnosed with a developmental disability as defined in s. 393.063 or autism spectrum disorder. For purposes of this paragraph:

1. "Behavior analysis" means the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior through skill acquisition and the reduction of problematic behavior. Applied behavior analysis shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

2. "Behavior assistant services" means services provided by an individual with specific training to assist in carrying out plans designed by a behavior analyst.

(s)~~(r)~~ Lifetime maximum *and limitations*.—Health benefits coverage obtained under ss. 409.810-409.820 shall pay an enrollee's covered expenses at a lifetime maximum of $1 million per covered child. *However, coverage for the combination of behavior analysis services and habilitative therapy services for recipients diagnosed with a developmental disability as defined in s. 393.063 or autism spectrum disorder shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits. Without prior authorization by the Florida Healthy Kids plan, not more than 12 percent of the annual maximum amount for combined habilitative therapy and behavior analysis services may be used on a monthly basis.*

(v)~~(u)~~ Enhancements to minimum requirements.—

1. This section sets the minimum benefits that must be included in any health benefits coverage, other than Medicaid or Medikids coverage, offered under ss. 409.810-409.820. Health benefits coverage may include additional benefits not included under this subsection, but may not include benefits excluded under paragraph *(t)* ~~(s)~~.

2. Health benefits coverage may extend any limitations beyond the minimum benefits described in this section.

Except for the Children's Medical Services Network, the agency may not increase the premium assistance payment for either additional benefits provided beyond the minimum benefits described in this section or the imposition of less restrictive service limitations.

Section 9. Paragraph (b) of subsection (1) of section 409.818, Florida Statutes, is amended to read:

409.818 Administration.—In order to implement ss. 409.810-409.820, the following agencies shall have the following duties:

(1) The Department of Children and Family Services shall:

(b) Establish and maintain the eligibility determination process under the program except as specified in subsection (5). The department shall directly, or through the services of a contracted third-party administrator, establish and maintain a process for determining eligibility of children for coverage under the program. The eligibility determination process must be used solely for determining eligibility of applicants for health benefits coverage under the program. The eligibility determination process must include an initial determination of eligibility for any coverage offered under the program, as well as a redetermination or reverification of eligibility each subsequent *12* ~~6~~ months. Effective January 1, 1999, a child who has not attained the age of 5 and who has been determined eligible for the Medicaid program is eligible for coverage for 12 months without a redetermination or reverification of eligibility. In conducting an eligibility determination, the department shall determine if the child has special health care needs. The department, in consultation with the Agency for Health Care Administration and the Florida Healthy Kids Corporation, shall develop procedures for redetermining eligibility which enable a family to easily update any change in circumstances which could affect eligibility. The department may accept changes in a family's status as reported to the department by the Florida Healthy Kids Corporation without requiring a new application from the family. Redetermination of a child's eligibility for Medicaid may not be linked to a child's eligibility determination for other programs.

Section 10. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate

Care Facilities for the Developmentally Disabled." Optional services may include:

(26) HOME AND COMMUNITY-BASED SERVICES FOR AUTISM SPECTRUM DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is authorized to seek federal approval through a Medicaid waiver or a state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years of age and under and have a diagnosed developmental disability as defined in s. 393.063 or autism spectrum disorder as defined in s. 409.811. Coverage for such services shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits. The agency shall submit an annual report beginning on January 1, 2009, to the President of the Senate, the Speaker of the House of Representatives, and the relevant committees of the Senate and the House of Representatives regarding progress on obtaining federal approval and recommendations for the implementation of these home and community-based services. The agency may not implement this subsection without prior legislative approval.

Section 11. Paragraph (e) 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.—

(e) Requests for proposals; payment schedule.—

1. Each early learning coalition must comply with s. 287.057 for the procurement of commodities or contractual services from the funds described in paragraph (9)(d). The period of a contract for purchase of these commodities or contractual services, together with any renewal of the original contract, may not exceed 3 years.

2. Each early learning coalition shall adopt a payment schedule that encompasses all programs funded by the coalition under this section. The payment schedule must take into consideration the relevant market rate, must include the projected number of children to be served, *may include quality related payments authorized by the Federal Government,* and must be submitted for approval by the Agency for Workforce Innovation. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate developed for a family day care home.

Section 12. Section 456.0291, Florida Statutes, is created to read:

456.0291 Requirement for instruction on developmental disabilities.—

(1)(a) The appropriate board shall require each person licensed or certified under part I of chapter 464, chapter 490, or chapter 491 to complete a 2-hour continuing education course, approved by the board, on developmental disabilities, as defined in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811, as part of every third biennial relicensure or recertification. The course shall consist of information on the diagnosis and treatment of developmental disabilities and information on counseling and education of a parent whose child is diagnosed with a developmental disability, with an emphasis on autism spectrum disorder, as defined in s. 409.811.

(b) The Board of Medicine and the Board of Osteopathic Medicine shall require each physician with a primary care specialty of pediatrics to complete a 2-hour continuing education course, approved by the appropriate board, on developmental disabilities, as defined in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811, as part of every third biennial relicensure. The course shall consist of information on the diagnosis and treatment of developmental disabilities and information on counseling and education of a parent whose child is diagnosed with a developmental disability, with an emphasis on autism spectrum disorder, as defined in s. 409.811.

(c) Each such licensee or certificateholder shall submit confirmation of having completed the course, on a form provided by the board, when submitting fees for every third biennial renewal.

(d) The board may approve additional equivalent courses that may be used to satisfy the requirements of paragraph (a). Each licensing board that requires a licensee to complete an educational course pursuant to this subsection may include the hours required for completion of the course in the total hours of continuing education required by law for such profession unless the continuing education requirements for such profession consist of fewer than 30 hours biennially.

(e) Any person holding two or more licenses subject to the provisions of this subsection shall be permitted to show proof of having taken one board-approved course on developmental disabilities for purposes of relicensure or recertification for additional licenses.

(f) Failure to comply with the requirements of this subsection shall constitute grounds for disciplinary action under each respective practice act and under s. 456.072(1)(k). In addition to discipline by the board, the licensee shall be required to complete such course.

(2) Each board may adopt rules pursuant to ss. 120.536(1) and 120.54 to carry out the provisions of this section.

(3) The department shall implement a plan to promote awareness of developmental disabilities, with a focus on autism spectrum disorder, as defined in s. 409.811, to physicians licensed under chapter 458 or chapter 459 and parents. The department shall develop the plan in consultation with organizations representing allopathic and osteopathic physicians, the Board of Medicine, the Board of Osteopathic Medicine, and nationally recognized organizations that promote awareness of developmental disabilities. The department's plan shall include the distribution of educational materials for parents, including a developmental assessment tool.

Section 13. Paragraph (b) of subsection (2) and paragraph (b) of subsection (5) of section 624.91, Florida Statutes, are amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(2) LEGISLATIVE INTENT.—

(b) It is the intent of the Legislature that the Florida Healthy Kids Corporation serve as one of several providers of services to children eligible for medical assistance under Title XXI of the Social Security Act. Although the corporation may serve other children, the Legislature intends the primary recipients of services provided through the corporation be ~~school-age~~ children with a family income below 200 percent of the federal poverty level, who do not qualify for Medicaid. It is also the intent of the Legislature that state and local government Florida Healthy Kids funds be used to continue coverage, subject to specific appropriations in the General Appropriations Act, to children not eligible for federal matching funds under Title XXI.

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida *Kidcare program* ~~Healthy Kids Corporation~~ , the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program. *Health care and dental health plans participating in the program may develop and distribute marketing and other promotional materials and participate in activities, such as health fairs and public events, as approved by the corporation. Health care and dental health plans may also contact their current and former enrollees to encourage continued participation in the program and assist the enrollee in transferring from a Title XIX-funded plan to a Title XXI-funded plan.*

13. Establish an assignment process for Florida Healthy Kids program enrollees to ensure that family members are assigned to the same managed care plan to the greatest extent possible, including situations in which some family members are enrolled in a Medicaid managed care plan and other family members are enrolled in a Florida Healthy Kids plan. The Agency for Health Care Administration shall consult with the corporation to implement this subparagraph.

14.~~13.~~ Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

15.~~14.~~ Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

16. Provide a report by October 31, 2008, to the Governor, the Senate, and the House of Representatives, which includes an actuarial analysis of the projected impact on premiums from the addition of habilitative and behavior analysis services in accordance with s. 409.815.

17. Provide information on a quarterly basis to the Governor, the Senate, and the House of Representatives that assesses the cost and utilization of services for the Florida Healthy Kids health benefits plans provided through the Florida Healthy Kids Corporation. The information must be specific to each eligibility component of the plan and, at a minimum, include:

a. The monthly enrollment and expenditures for enrollees.

b. The cost and utilization of specific services.

c. An analysis of the impact on premiums prior to and following implementation of the Window of Opportunity Act.

d. An analysis of trends regarding transfer of enrollees from the Florida Healthy Kids plans to the Children's Medical Services Network plan.

e. Any recommendations resulting from the analysis conducted under this subparagraph.

18.~~15.~~ Establish benefit packages which conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.820.

Section 14. Section 624.916, Florida Statutes, is created to read:

624.916 Developmental disabilities compact.—

(1) The Office of Insurance Regulation shall convene a workgroup by August 31, 2008, for the purpose of negotiating a compact that includes a binding agreement among the participants relating to insurance and access to services for persons with developmental disabilities as defined in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811. The workgroup shall consist of the following:

(a) Representatives of all health insurers licensed under this chapter.

(b) Representatives of all health maintenance organizations licensed under part I of chapter 641.

(c) Representatives of employers with self-insured health benefit plans.

(d) Two designees of the Governor, one of whom must be a consumer advocate.

(e) A designee of the President of the Senate.

(f) A designee of the Speaker of the House of Representatives.

(2) The Office of Insurance Regulation shall convene a consumer advisory workgroup for the purpose of providing a forum for comment on the compact negotiated in subsection (1). The office shall convene the workgroup prior to finalization of the compact.

(3) The agreement shall include the following components:

(a) A requirement that each signatory to the agreement increase coverage for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability as defined in s. 393.063 or autism spectrum disorder, as defined in s. 409.811.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage is provided for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability as defined in s. 393.063 or autism spectrum disorder, as defined in s. 409.811.

(c) Penalties for documented cases of denial of claims for medically necessary services due to the presence of a developmental disability as defined in s. 393.063 or autism spectrum disorder, as defined in s. 409.811.

(d) Proposals for new product lines that may be offered in conjunction with traditional health insurance and provide a more appropriate means of spreading risk, financing costs, and accessing favorable prices.

(4) Upon completion of the negotiations for the compact, the office shall report the results to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(5) Beginning February 15, 2009, and continuing annually thereafter, the Office of Insurance Regulation shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Repre-

sentatives regarding the implementation of the agreement negotiated under this section. The report shall include:

(a) The signatories to the agreement.

(b) An analysis of the coverage provided under the agreement in comparison to the coverage required under ss. 627.6686 and 641.31098.

(c) An analysis of the compliance with the agreement by the signatories, including documented cases of claims denied in violation of the agreement.

(6) The Office of Insurance Regulation shall continue to monitor participation, compliance, and effectiveness of the agreement and report its findings at least annually.

Section 15. Section 627.6686, Florida Statutes, is created to read:

627.6686 Coverage for individuals with developmental disabilities required; exception.—

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

(a) "Developmental disability" has the same meaning as provided in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811.

(b) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(c) "Health insurance plan" means a group health insurance policy or group health benefit plan offered by an insurer which includes the state group insurance program provided under s. 110.123. The term does not include any health insurance plan offered in the individual market, any health insurance plan that is individually underwritten, or any health insurance plan provided to a small employer.

(d) "Insurer" means an insurer providing health insurance coverage, which is licensed to engage in the business of insurance in this state and is subject to insurance regulation.

(2) A health insurance plan issued or renewed on or after July 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability.

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and behavior analysis services. Behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(3) The coverage required pursuant to subsection (2) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the insured's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (2) shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to other general exclusions and limitations of the insurer's policy or plan, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(4) The coverage required pursuant to subsection (2) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the health insurance plan, except as otherwise provided in subsection (3).

(5) An insurer may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual because the individual is diagnosed as having a developmental disability.

(6) The treatment plan required pursuant to subsection (3) shall include all elements necessary for the health insurance plan to appropriately pay claims. These elements include, but are not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(7) Beginning January 1, 2011, the maximum benefit under paragraph (3)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(8) This section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan.

(9) The Office of Insurance Regulation may not enforce this section against an insurer that is a signatory no later than July 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against an insurer that is a signatory to the compact established under s. 624.916 if the insurer has not complied with the terms of the compact for all health insurance plans by July 1, 2010.

Section 16. Section 641.31098, Florida Statutes, is created to read:

641.31098 Coverage for individuals with developmental disabilities.—

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

(a) "Developmental disability" has the same meaning as provided in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811.

(b) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(c) "Health maintenance contract" means a group health maintenance contract offered by a health maintenance organization. This term does not include a health maintenance contract offered in the individual market, a health maintenance contract that is individually underwritten, or a health maintenance contract provided to a small employer.

(2) A health maintenance contract issued or renewed on or after July 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability.

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and behavior analysis services. Behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(3) The coverage required pursuant to subsection (2) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the subscriber's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (2) shall be limited to $36,000 annually and may not exceed $108,000 in total benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to general exclusions and limitations of the subscriber's contract, including, but not limited to, coordination of benefits, participating provider requirements, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(4) The coverage required pursuant to subsection (2) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to a subscriber than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the subscriber's contract, except as otherwise provided in subsection (3).

(5) A health maintenance organization may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual solely because the individual is diagnosed as having a developmental disability.

(6) The treatment plan required pursuant to subsection (3) shall include, but is not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(7) Beginning January 1, 2011, the maximum benefit under paragraph (3)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(8) The Office of Insurance Regulation may not enforce this section against a health maintenance organization that is a signatory no later than July 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against a health maintenance organization that is a signatory to the compact established under s. 624.916 if the health maintenance organization has not complied with the terms of the compact for all health maintenance contracts by July 1, 2010.

Section 17. Subsections (1), (2), and (3), paragraph (a) of subsection (4), paragraph (d) of subsection (8), and paragraphs (a), (c), and (d) of subsection (10) of section 1002.39, Florida Statutes, are amended, subsections (11), (12), and (13) are renumbered as subsections (13), (14), and (15), respectively, and new subsections (11) and (12) are added to that section, 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.

(1) THE JOHN M. MCKAY SCHOLARSHIPS FOR STUDENTS WITH DISABILITIES PROGRAM.—The John M. McKay Scholarships for Students with Disabilities Program is established to provide the option to attend a public school other than the one to which assigned, or to provide a scholarship to a private school of choice, for students with disabilities for whom an individual *educational* ~~education~~ plan has been written in accordance with rules of the State Board of Education. Students with disabilities include K-12 students who are documented as having *an intellectual disability* ~~a mental handicap, including trainable, profound, or educable~~; a speech *impairment; a* ~~or~~ language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; *an orthopedic* ~~a physical~~ impairment *or other health impairment* ; ~~a serious emotional disturbance, including~~ an emotional *or behavioral disability* ~~handicap~~; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; *a developmental delay;* or autism *spectrum disorder*.

(2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a ~~public school~~ student with a disability ~~who is dissatisfied with the student's progress~~ may request and receive from the state a John M. McKay Scholarship for the child to enroll in and attend a private school in accordance with this section if:

(a) The student has *either:*

1. Received early intervention services under the Voluntary Prekindergarten Education Program pursuant to s. 1002.66 during the previous school year; or

2. Spent the prior school year in attendance at a Florida public school or the Florida School for the Deaf and the Blind. *For purposes of this subparagraph,* prior school year in attendance means that the student was~~:~~

~~1.~~ enrolled and reported by*:*

a. A school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which shall include time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program;

b.~~2.~~ ~~Enrolled and reported by~~ The Florida School for the Deaf and the Blind during the preceding October and February student membership surveys in kindergarten through grade 12; or

c.~~3.~~ ~~Enrolled and reported by~~ A school district for funding during the preceding October and February Florida Education Finance Program surveys, was at least 4 years old when so enrolled and reported, and was eligible for services under s. 1003.21(1)(e).

However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country pursuant to a parent's permanent change of station orders is exempt from this paragraph but must meet all other eligibility requirements to participate in the program.

(b) The parent has obtained acceptance for admission of the student to a private school that is eligible for the program under subsection (8) and has requested from the department a scholarship at least 60 days prior to the date of the first scholarship payment. The request must be through a communication directly to the department in a manner that creates a written or electronic record of the request and the date of receipt of the request. The Department of Education must notify the district of the parent's intent upon receipt of the parent's request.

(3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a John M. McKay Scholarship while he or she is:

(a) Enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs;

(b) Receiving a corporate income tax credit scholarship under s. 220.187;

(c) Receiving an educational scholarship pursuant to this chapter;

(d) Participating in a home education program as defined in s. 1002.01(1);

(e) Participating in a private tutoring program pursuant to s. 1002.43;

(f) Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year;

(g) Enrolled in the Florida School for the Deaf and the Blind; or

(h) Not having regular and direct contact with his or her private school teachers at the school's physical location*, except as provided in subsection (11)*.

(4) TERM OF JOHN M. MCKAY SCHOLARSHIP.—

(a) For purposes of continuity of educational choice, a John M. McKay Scholarship shall remain in force until the student *enrolls in* ~~returns to~~ a public school, graduates from high school, or reaches the age of 22, whichever occurs first.

(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:

(d) Maintain in this state a physical location where a scholarship student regularly attends classes *or where it provides case management services under subsection (11)*.

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.

(10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.—

(a)1. The maximum scholarship granted for an eligible student with disabilities shall be a calculated amount equivalent to the base student allocation in the Florida Education Finance Program multiplied by the appropriate cost factor for the educational program that would have been provided for the student in the district school to which he or she was assigned, multiplied by the district cost differential.

2. In addition, a share of the guaranteed allocation for exceptional students shall be determined and added to the calculated amount. The calculation shall be based on the methodology and the data used to calculate the guaranteed allocation for exceptional students for each district in chapter 2000-166, Laws of Florida. Except as provided in subparagraphs 3. and 4., the calculation shall be based on the student's grade, matrix level of services, and the difference between the 2000-2001 basic program and the appropriate level of services cost factor, multiplied by the 2000-2001 base student allocation and the 2000-2001 district cost differential for the sending district. Also, the calculated amount shall include the per-student share of supplemental academic instruction funds, instructional materials funds, technology funds, and other categorical funds as provided for such purposes in the General Appropriations Act.

3. The calculated scholarship amount for a student who is eligible under *sub-subparagraph (2)(a)2.b.* ~~subparagraph (2)(a)2.~~ shall be calculated as provided in subparagraphs 1. and 2. However, the calculation shall be based on the school district in which the parent resides at the time of the scholarship request.

4. Until the school district completes the matrix required by paragraph (5)(b), the calculation shall be based on the matrix that assigns the student to support level I of service as it existed prior to the 2000-2001 school year. When the school district completes the matrix, the amount of the payment shall be adjusted as needed.

(c)1. The school district shall report all students who are attending a private school under this program. The students with disabilities attending private schools on John M. McKay Scholarships shall be reported separately from other students reported for purposes of the Florida Education Finance Program.

2. For program participants who are eligible under *sub-subparagraph (2)(a)2.b.* ~~subparagraph (2)(a)2.~~, the school district that is used as the basis for the calculation of the scholarship amount as provided in subparagraph (a)3. shall:

a. Report to the department all such students who are attending a private school under this program.

b. Be held harmless for such students from the weighted enrollment ceiling for group 2 programs in s. 1011.62(1)(d)3.a. during the first school year in which the students are reported.

(d) Following notification on July 1, September 1, December 1, or February 1 of the number of program participants, the department shall transfer, from General Revenue funds only, the amount calculated under paragraph (b) from the school district's total funding entitlement under the Florida Education Finance Program and from authorized categorical accounts to a separate account for the scholarship program for quarterly disbursement to the parents of participating students. Funds may not be transferred from any funding provided to the Florida School for the Deaf and the Blind for program participants who are eligible under *sub-subparagraph (2)(a)2.b.* ~~subparagraph (2)(a)2.~~ For a student exiting a Department of Juvenile Justice commitment program who chooses to participate in the scholarship program, the amount of the John M. McKay Scholarship calculated pursuant to paragraph (b) shall be transferred from the school district in which the student last attended a public school prior to commitment to the Department of Juvenile Justice. When a student enters the scholarship program, the department must receive all documentation required for the student's participation, including the private school's and student's fee schedules, at least 30 days before the first quarterly scholarship payment is made for the student.

(11) ALTERNATIVE SITES FOR INSTRUCTION AND SERVICES.—A student eligible for a scholarship under this section may receive regular and direct instruction and services from a private school at a site other than the school's physical location if the following criteria are met:

(a) The student's parent provides a notarized statement from the medical doctor or psychologist treating the student's disability which certifies that the student's welfare or the welfare of other students in the classroom will be jeopardized if the student is required to regularly attend class at the school's physical location. Such notarized statement must be:

1. Annually provided to the department at least 60 days prior to the date of the first scholarship payment for each school year.

2. Based on an annual review of the student's disability by the student's medical doctor or psychologist.

(b) The private school serving the student:

1. Employs or contracts with a case manager who coordinates and monitors the student's instruction and services, reviews and maintains the documentation submitted under subparagraph 2., and provides the student's parent and private school with monthly reports on the student's progress.

2. Requires private school employees or contracted personnel who provide regular and direct instruction or services to a student at a site other than the private school's physical location to submit to the case manager documentation of the instruction, services, and progress of the student.

3. Notifies the department of each student subject to this subsection.

(12) RETROACTIVE SCHOLARSHIP ELIGIBILITY.—A student who received a scholarship under this section in the 2005-2006 school year, but who was unable to receive a scholarship in the 2006-2007 school year due to the regular and direct contact requirement in paragraph (3)(h), is eligible for a scholarship in the 2008-2009 school year if the student:

(a) Demonstrates that he or she would have met the criteria of paragraph (11)(a) at the time of his or her 2006-2007 scholarship.

(b) Satisfies the requirements for a scholarship under this section other than the prior school year attendance requirement in paragraph (2)(a).

Section 18. Subsections (2) through (5) of section 1002.51, Florida Statutes, are renumbered as subsections (3) through (6), respectively, and a new subsection (2) is added to that section to read:

1002.51 Definitions.—As used in this part, the term:

(2) "Early intervention service provider" means a provider delivering early intervention services under s. 1002.66.

Section 19. Subsections (1) and (3) of section 1002.53, Florida Statutes, are amended to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(1) There is created the Voluntary Prekindergarten Education Program*, which*~~. The program shall take effect in each county at the beginning of the 2005-2006 school year and~~ shall be organized, designed, and delivered in accordance with s. 1(b) and (c), Art. IX of the State Constitution.

(3) The parent of each child eligible under subsection (2) may enroll the child in one of the following programs:

(a) A school-year prekindergarten program delivered by a private prekindergarten provider under s. 1002.55;

(b) A summer prekindergarten program delivered by a public school or private prekindergarten provider under s. 1002.61; ~~or~~

(c) A school-year prekindergarten program delivered by a public school, if offered by a school district that is eligible under s. 1002.63*; or*

(d) Beginning with the 2010-2011 school year, a prekindergarten program of early intervention services, if the child is eligible for the program under s. 1002.66.

Except as provided in s. 1002.71(4), a child may not enroll in more than one of these programs.

Section 20. Section 1002.66, Florida Statutes, is created to read:

1002.66 Prekindergarten program of early intervention services.—

(1) Beginning with the 2010-2011 school year, a child who enrolls with the early learning coalition under s. 1002.53(3)(d) is eligible for a prekindergarten program of early intervention services if:

(a) The child is eligible for the Voluntary Prekindergarten Education Program under s. 1002.53(2); and

(b) A current individual educational plan has been developed for the child in accordance with State Board of Education rule and the plan indicates the child's need for multiple and intensive services, delivered weekly or daily, to address the child's development of the following skills:

1. Social skills, including replacement of problematic behaviors with more conventional and appropriate behaviors;

2. Communication skills, including the development of a functional communication system;

3. Fine and gross motor skills;

4. Cognitive skills, including basic concepts and developmentally appropriate pre-academic skills; and

5. Independent organizational skills and other behaviors necessary for future success in the typical educational environment.

If a child's individual educational plan indicates that the child meets the eligibility requirements for a prekindergarten program of early intervention services under this paragraph, the school district shall record the child's eligibility on a form, or otherwise in the format, developed by the Department of Education in consultation with the Agency for Workforce Innovation.

(2) The parent of a child who is eligible for a prekindergarten program under this section may select one or more early intervention services that the child's individual educational plan indicates is appropriate for the child. These early intervention services may include, but are not limited to:

(a) Applied behavior analysis.

(b) Speech-language pathology.

(c) Occupational therapy.

(d) Physical therapy.

(3) The early intervention services provided for a child under this section must be delivered according to professionally accepted standards and must, in accordance with the performance standards adopted by the department under s. 1002.67, address the age-appropriate progress of the child in the development of the capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution.

(4) Each Center for Autism and Related Disabilities established under s. 1004.55 shall, within the center's region, approve early intervention service providers whose services meet the standards in subsection (3), maintain a list of approved providers, and notify each school district and early learning coalition in the center's region of the approved provider list. Upon the request of a child's parent, a Center for Autism and Related Disabilities may approve an early intervention service provider that is not on the approved list if the provider's services meet the standards in subsection (3) and the child's individual educational plan indicates that the services are appropriate for the child.

(5) From the funds allocated to the early learning coalition for the Voluntary Prekindergarten Education Program, the coalition shall reimburse an approved early intervention service provider for authorized services provided for an eligible child, except that the cumulative total of services reimbursed for a child may not exceed the amount of the base student allocation provided for the Voluntary Prekindergarten Education Program in the General Appropriations Act.

Section 21. Paragraph (a) of subsection (4) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(4) Notwithstanding s. 1002.53(3) and subsection (2):

(a) A child who, for any of the prekindergarten programs listed in s. 1002.53(3), has not completed more than 10 percent of the hours authorized to be reported for funding under subsection (2)*, or has not expended more than 10 percent of the funds authorized for the child under s. 1002.66,* may withdraw from the program for good cause, reenroll in one of the programs, and be reported for funding purposes as a full-time equivalent student in the program for which the child is reenrolled.

A child may reenroll only once in a prekindergarten program under this section. A child who reenrolls in a prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll. The Agency for Workforce Innovation shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a), whether a child has substantially completed a program under paragraph (b), and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

Section 22. Paragraph (d) of subsection (2) of section 1002.73, Florida Statutes, is redesignated as paragraph (e) and a new paragraph (d) is added to that subsection to read:

1002.73 Department of Education; powers and duties; accountability requirements.—

(2) The department shall adopt procedures for the department's:

(d) Development, in consultation with the Agency for Workforce Innovation, of the form or format for recording a child's eligibility for early intervention services under s. 1002.66(1)(b).

Section 23. Paragraphs (a) and (f) of subsection (2) of section 1002.75, Florida Statutes, are amended to read:

1002.75 Agency for Workforce Innovation; powers and duties; operational requirements.—

(2) The Agency for Workforce Innovation shall adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts for:

(a) Enrolling children in and determining the eligibility of children for the Voluntary Prekindergarten Education Program under *ss. 1002.53 and 1002.66* ~~s. 1002.53~~ .

(f) Paying private prekindergarten providers*,* ~~and~~ public schools*, and early intervention service providers* under *ss. 1002.66 and 1002.71* ~~s. 1002.71~~.

Section 24. Effective upon this act becoming a law, section 1004.55, Florida Statutes, is amended to read:

1004.55 ~~Regional autism~~ Centers *for Autism and Related Disabilities.—*

(1) Seven ~~regional autism~~ Centers *for Autism and Related Disabilities* are established to provide nonresidential resource and training services for*:*

(a) Children younger than 5 years of age who have:

1. An autism spectrum disorder; a genetic or metabolic disorder; a neurological disorder; a severe attachment disorder; a hearing impairment, including deafness; a visual impairment, including blindness; or dual sensory impairment; or

2. A developmental delay in cognition; physical or motor development, including hearing or vision; communication; social or emotional development; or adaptive development.

(b) Persons 5 years of age or older who have an autism spectrum disorder or a severe communication disorder ~~persons of all ages and of all levels of intellectual functioning who have autism, as defined in s. 393.063; who have a pervasive developmental disorder that is not otherwise specified; who have an autistic-like disability; who have a dual sensory impairment; or who have a sensory impairment with other handicapping conditions~~.

(2) Each center shall be operationally and fiscally independent and shall provide services within its geographical region of the state. Service delivery shall be consistent for all centers. Each center shall coordinate services within and between state and local agencies and school districts but may not duplicate services provided by those agencies or school districts. The respective locations and service areas of the centers are:

(a) The Department of Communication Disorders at Florida State University, which serves Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington Counties.

(b) The College of Medicine at the University of Florida, which serves Alachua, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Levy, Marion, Putnam, Suwannee, and Union Counties.

(c) The University of Florida Health Science Center at Jacksonville, which serves Baker, Clay, Duval, Flagler, Nassau, and St. Johns Counties.

(d) The Louis de la Parte Florida Mental Health Institute at the University of South Florida, which serves Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

(e) The Mailman Center for Child Development and the Department of Psychology at the University of Miami, which serves Broward, Dade, and Monroe Counties.

(f) The College of Health and Public Affairs at the University of Central Florida, which serves Brevard, Lake, Orange, Osceola, Seminole, Sumter, and Volusia Counties.

(g) The Department of Exceptional Student Education at Florida Atlantic University, which serves Palm Beach, Martin, St. Lucie, Okeechobee, and Indian River Counties.

(3)~~(2)~~ There is established for each center a constituency board, which shall work collaboratively with the center. Each board shall consist of no fewer than six members, each of whom is either an individual who has *an autism spectrum disorder or another* ~~a~~ disability ~~that is~~ described in subsection (1) or is a member of a family that includes a person who has such a disability, who are selected by each university president from a list that has been developed by the Autism Society of Florida and other relevant constituency groups that represent persons who have *an autism spectrum disorder or another disability* ~~sensory impairments as~~ described in subsection (1). As representatives of the center's constituencies, these boards shall meet quarterly with the staff of each of the centers to provide advice on policies, priorities, and activities. Each board shall submit to the university president and to the Department of Education an annual report that evaluates the activities and accomplishments of its center during the year. The board for each center should raise funds equivalent to 2 percent of the total funds allocated to that center in each fiscal year.

(4)~~(3)~~ To promote statewide planning and coordination, a conference must be held annually for staff from each of the seven centers and representatives from each center's constituency board. The purpose of the conference is to facilitate coordination, networking, cross-training, and feedback among the staffs and constituency boards of the centers.

(5)~~(4)~~(a) Each center shall provide:

1. A staff that has expertise in autism *spectrum disorder* and *the other disabilities described in subsection (1)* ~~autistic-like behaviors and in sensory impairments~~.

2. Individual and direct family assistance in the home, community, and school. A center's assistance should not supplant other responsibilities of state and local agencies, and each school district is responsible for providing an appropriate education program for clients of a center who are school age.

3. Technical assistance and consultation services, including specific intervention and assistance for a client of the center, the client's family, and the school district, and any other services that are appropriate.

4. Professional training programs that include developing, providing, and evaluating preservice and inservice training in state-of-the-art practices for personnel who work with the populations served by the centers and their families.

5. Public education programs to increase awareness of the public about autism *spectrum disorder and the other disabilities described in subsection (1)*~~, autistic-related disabilities of communication and behavior, dual sensory impairments, and sensory impairments with other handicapping conditions~~.

6. Coordination of regional learning gateways established in accordance with s. 1006.80.

7. Approval of early intervention service providers for prekindergarten programs for children with disabilities in accordance with s. 1002.66.

(b) *Effective October 1, 2008, a center that is not designated a medical model for the treatment of autism spectrum disorder under s. 1006.82 may not provide* direct medical intervention or pharmaceutical intervention ~~is prohibited in any center on or after July 1, 2008~~.

(6)~~(5)~~ The State Board of Education, in cooperation with the ~~regional autism~~ Centers *for Autism and Related Disabilities*, shall adopt the necessary rules to carry out the purposes of this section.

Section 25. Effective upon this act becoming a law, subsection (1), paragraph (b) of subsection (2), and subsections (3) and (4) of section 1006.03, Florida Statutes, are amended to read:

1006.03 *Florida* Diagnostic and Learning *Resources System; regional* ~~resource~~ centers.—

(1) The department shall maintain *the Florida Diagnostic and Learning Resources System, which shall be comprised of a network of* regional diagnostic and learning *resources* ~~resource~~ centers for exceptional students. *The regional centers shall*~~, to~~ assist in the provision of medical, physiological, psychological, and educational testing and other services designed to evaluate and diagnose exceptionalities, ~~to~~ make referrals for necessary instruction and services, and ~~to~~ facilitate the provision of instruction and services to exceptional students. The department shall cooperate with the Department of Children and Family Services *and the Centers for Autism and Related Disabilities* in identifying service needs and areas.

(2) Within its identified service area, each regional center shall:

(b) Assist in the provision of services for exceptional children, using to the maximum, but not supplanting, the existing facilities and services of each *school* district.

(3) *Regional* diagnostic and *learning resources* ~~resource~~ centers may provide testing and evaluation services to private school students and other children who are not enrolled in public schools.

(4) *Regional* diagnostic and learning *resources* ~~resource~~ centers may assist districts in providing testing and evaluation services for infants and preschool children with or at risk of developing disabilities, and may assist districts in providing interdisciplinary training and resources to parents of infants and preschool children with or at risk of developing disabilities and to *early learning* ~~school readiness~~ programs.

Section 26. *Effective upon this act becoming a law, part III of chapter 1006, Florida Statutes, shall be entitled "Learning Gateway" and shall consist of sections 1006.80 and 1006.82, Florida Statutes.*

Section 27. Effective upon this act becoming a law, section 1006.80, Florida Statutes, is created to read:

1006.80 Regional learning gateways.—The Centers for Autism and Related Disabilities established under s. 1004.55, in collaboration with the Department of Education and the Florida Diagnostic and Learning Resources System, shall establish a statewide system of learning gateways. The system must include the establishment of a learning gateway in the geographic region of each center. Each region's learning gateway shall:

(1) Establish a single point of access for referral to the appropriate agencies for the screening and assessment of children younger than 5 years of age for disabilities, conducting diagnostic evaluations for children with suspected disabilities, and referring children with disabilities for early intervention services and early learning programs.

(2) Designate a central telephone number in the center's region, and an Internet website, for parents, practitioners, and providers to obtain information about services available through the learning gateway, screenings, assessments, diagnostic evaluations, early intervention services, and early learning programs for children with disabilities.

(3) Provide followup contact for families whose children are determined ineligible for services under Part B or Part C of the federal Individuals with Disabilities Education Act.

(4) Provide interagency coordination in the center's region among the regional offices of state agencies, including offices of the Division of Children's Medical Services Network of the Department of Health; regional diagnostic and learning resources centers; diagnostic and learning resources centers at state universities; school districts; early learning coalitions; county and municipal agencies; community agencies and organizations; and public and private providers of early intervention services and early learning programs, in order to develop and implement strategies to reduce a child's waiting time for services, reduce interagency duplication, and reduce interagency differences in eligibility criteria for services and programs which cause cross-agency screenings, assessments, and diagnostic evaluations.

(5) Facilitate the integration of services, linkages among providers, and the array of services required to address the needs of children and families.

(6) Improve community awareness and education for parents and practitioners about the developmental milestones, and the warning signs or precursors of disabilities, exhibited by children younger than 5 years of age.

(7) Provide training and technical assistance for parents, practitioners, and providers.

Section 28. Effective upon this act becoming a law, section 1006.82, Florida Statutes, is created to read:

1006.82 State Learning Gateway Council.—

(1) There is created the State Learning Gateway Council, which is assigned to the Department of Education for administrative purposes. The council is composed of the following agency heads, and officers of the following organizations, or their permanent designees:

(a) Secretary of Children and Family Services.

(b) Director of the Agency for Persons with Disabilities.

(c) Director of Workforce Innovation.

(d) State Surgeon General.

(e) Secretary of Health Care Administration.

(f) Commissioner of Education.

(g) The director of a regional diagnostic and learning resources center appointed by the Commissioner of Education.

(h) The director of a diagnostic and learning resources center at a state university, selected from among the directors of the university centers.

(i) Chair of the Florida Early Learning Advisory Council.

(j) President of the Autism Society of Florida.

(k) President of the Florida Association for Behavioral Analysis.

(l) President of the Florida Pediatric Society.

(m) President of the Florida Psychological Association.

(2) The council shall select a chair from among its members. An executive director of a Center for Autism and Related Disabilities, selected from among the executive directors of the centers, shall serve as the council's executive director.

(3)(a) The council shall coordinate the statewide implementation of regional learning gateways and shall advise the Legislature, the Governor, and the agencies represented by the council's members on the system of regional learning gateways.

(b) Each Center for Autism and Related Disabilities shall submit an implementation plan to the council for the region's learning gateway by January 15, 2009. The plan must include the center's proposed expenditures for implementation of the regional learning gateway.

(c) The council may designate a Center for Autism and Related Disabilities on the main campus, or at any branch campus or center, of the University of Florida, as a medical model for the treatment of autism spectrum disorder, if the center demonstrates a unique community need for such treatment in the center's region. A center designated as a medical model shall, by October 1 of each year, submit an annual report to the council. Each annual report must summarize the center's activities related to the treatment of autism spectrum disorder, including the center's expenditures for those services, for the prior state fiscal year.

(4)(a) The agencies represented by the council's membership shall enter into an interagency agreement to provide staffing and administrative support for the council.

(b) Members of the council shall serve without compensation but are entitled to per diem and travel expenses for required attendance at council meetings in accordance with the provisions of s. 112.061. Each council member is subject to the Code of Ethics for Public Officers and Employees under part III of chapter 112.

(5)(a) The council may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, if the public is given proper notice of a telecommunications meeting and reasonable access to observe and, when appropriate, participate.

(b) The council appointments shall be made, and the council shall conduct its initial meeting, within 45 days after the effective date of this section.

Section 29. *Effective upon this act becoming a law, sections 411.226, 411.227, and 411.228, Florida Statutes, are repealed.*

Section 30. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to children with disabilities; creating the "Window of Opportunity Act"; amending s. 391.026, F.S.; requiring the Department of Health to provide certain services under contract to the Florida Healthy Kids Corporation; specifying that children served under such contract are not enrollees of Children's Medical Services; amending 393.063, F.S.; revising the definition of the term "developmental disability"; providing a definition of the term "Down syndrome"; amending s. 409.811, F.S.; providing a definition of the term "autism spectrum disorder"; amending s. 409.8132, F.S.; revising provisions relating to enrollment in the Medikids program component of Florida Kidcare; providing for the Agency for Health Care Administration to assign family members to the same managed care plan or Medicaid provider, under certain circumstances; amending s. 409.8134, F.S.; providing eligibility criteria for enrollment for premium assistance; providing for enrollment without premium assistance in the Florida Kidcare program during open enrollment periods; providing limitations on year-round enrollment for premium assistance; specifying a time period for enrollees not eligible for premium assistance to enroll in the Florida Healthy Kids program; providing exceptions; providing for certain enrollees to transfer to the

Healthy Kids program under certain circumstances; authorizing the board of directors of the Florida Healthy Kids Corporation to take certain actions to reduce projected costs of the program under certain circumstances; amending s. 409.814, F.S.; revising conditions for eligibility for premium assistance for the Florida Kidcare Program; providing limitations on enrollment in the Medikids program after January 1, 2009; providing for enrollment of new applicants in the Florida Healthy Kids program; revising duties of the board of directors of the Florida Healthy Kids Corporation regarding enrollment limitations; providing for notification to certain managed care plans or MediPass providers prior to termination of a child's eligibility for Florida Kidcare; providing for certain information relating to eligibility to be obtained electronically; providing an exemption from certain requirements for individuals who pay the full cost of the Florida Kidcare premium; amending s. 409.815, F.S.; revising provisions relating to health benefits coverage for specified services to include habilitative and behavior analysis services; providing definitions; limiting the lifetime maximum of health benefits coverage for certain services; amending s. 409.818, F.S.; revising timeframe for redetermination or reverification of eligibility for Florida Kidcare; amending s. 409.906, F.S.; authorizing the Agency for Health Care Administration to seek federal approval through a state plan amendment to provide home and community-based services for autism spectrum disorder and other development disabilities; specifying eligibility criteria; specifying limitations on provision of benefits; requiring reports to the Legislature; requiring legislative approval for implementation of certain provisions; amending s. 411.01, F.S.; providing for the payment schedules of early learning coalitions to include certain payments authorized by the Federal Government; creating s. 456.0291, F.S.; authorizing certain licensing boards to require special continuing education on developmental disabilities for certain licensees and certificateholders; providing penalties; providing rulemaking authority; requiring the Department of Health to develop and implement a plan to promote awareness of developmental disabilities, with a focus on autism spectrum disorder; amending s. 624.91, F.S.; revising legislative intent; requiring the Florida Healthy Kids Corporation to provide information relating to costs and utilization of full-pay and Title XXI subsidized populations enrolled in Florida Healthy Kids health benefits coverage plans; establishing an assignment process; requiring the corporation to provide a report by October 31, 2008, to the Governor and Legislature that includes an analysis of the projected impact on premiums resulting from the provision of additional services; requiring the corporation to provide a quarterly assessment of costs and utilization of services for Florida Healthy Kids benefit plans to the Governor and Legislature; creating s. 624.916, F.S.; directing the Office of Insurance Regulation to establish a workgroup to develop and execute a compact relating to coverage for insured persons with development disabilities; providing for membership of the workgroup; requiring the workgroup to convene within a specified period of time; directing the office to establish a consumer advisory workgroup and providing purpose thereof; requiring the compact to contain specified components; requiring reports to the Governor and the Legislature; creating s. 627.6686, F.S.; providing health insurance coverage for individuals with developmental disabilities; providing definitions; providing coverage for certain screening to diagnose and treat developmental disabilities; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting insurers from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; clarifying that the section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan; prohibiting the Office of Insurance Regulation from enforcing certain provisions against insurers that are signatories to the developmental disabilities compact by a specified date; creating s. 641.31098, F.S.; providing coverage under a health maintenance contract for individuals with developmental disabilities; providing definitions; providing coverage for certain screening to diagnose and treat developmental disabilities; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting health maintenance organizations from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; prohibiting the Office of Insurance Regulation from enforcing certain provisions against health maintenance organizations that are signatories to the developmental disabilities compact by a specified date; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; revising the terminology used to identify students with certain disabilities; authorizing students who receive certain services under the Voluntary Prekindergarten Education Program to receive a John M. McKay Scholarship; conforming cross-references; permitting students to receive scholarship services at locations other than the private school's site under specified conditions; providing retroactive eligibility for scholarships under certain circumstances; amending s. 1002.51, F.S.; revising definitions for the Voluntary Prekindergarten Education Program; amending s. 1002.53 and creating s. 1002.66, F.S.; establishing a prekindergarten program option for early intervention services; providing eligibility criteria for early intervention services; requiring the Department of Education to develop forms; providing for the approval of early intervention service providers; authorizing the expenditure of funds for early intervention services; amending s. 1002.71, F.S.; authorizing a child participating in a prekindergarten program for children with disabilities to reenroll in another program option under certain conditions; amending ss. 1002.73 and 1002.75, F.S.; revising the powers and duties of the Department of Education and Agency for Workforce Innovation for prekindergarten programs; amending s. 1004.55, F.S.; redesignating regional autism centers as Centers for Autism and Related Disabilities; revising terminology and duties of the regional autism centers; revising date that regional autism centers are prohibited from providing direct medical intervention or pharmaceutical intervention and providing an exception for a center designated a medical model by the State Learning Gateway Council; amending s. 1006.03, F.S.; requiring the Department of Education to maintain the Florida Diagnostic and Learning Resources System; revising duties of regional diagnostic and learning resources centers; creating part III of chapter 1006, F.S., relating to the Learning Gateway; creating s. 1006.80, F.S.; requiring Centers for Autism and Related Disabilities to establish a statewide system of learning gateways; specifying functions of learning gateways; creating s. 1006.82, F.S.; establishing the State Learning Gateway Council; assigning the council to the Department of Education for administrative purposes; specifying the membership of the council; providing for selection of the council's chair and executive director; prescribing the council's duties; requiring the Centers for Autism and Related Disabilities to submit an implementation plan by a specified date; authorizing the council to designate a center at the University of Florida as a medical model under certain circumstances; requiring a center designated as a medical model to submit an annual report; repealing ss. 411.226, 411.227, and 411.228, F.S., relating to the Learning Gateway, components of the Learning Gateway, and accountability; providing effective dates.

Senator Geller moved the following amendment which was adopted:

Senate Amendment 1 (697284) (with title amendment) to House Amendment 1—Delete line(s) 5-1537 and insert:

Section 1. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(26) HOME AND COMMUNITY-BASED SERVICES for AUTISM SPECTRUM DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is authorized to seek federal approval through a Medicaid waiver or a state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years of age and under and have a diagnosed developmental disability as defined in s. 393.063, autism spectrum disorder as defined in s. 627.6686, or Down

syndrome, a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21. Coverage for such services shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits. The agency shall submit an annual report beginning on January 1, 2009, to the President of the Senate, the Speaker of the House of Representatives, and the relevant committees of the Senate and the House of Representatives regarding progress on obtaining federal approval and recommendations for the implementation of these home and community-based services. The agency may not implement this subsection without prior legislative approval.

Section 2. Section 624.916, Florida Statutes, is created to read:

624.916 Developmental disabilities compact.—

(1) This section may be cited as the "Window of Opportunity Act."

(2) The Office of Insurance Regulation shall convene a workgroup by August 31, 2008, for the purpose of negotiating a compact that includes a binding agreement among the participants relating to insurance and access to services for persons with developmental disabilities. The workgroup shall consist of the following:

(a) Representatives of all health insurers licensed under this chapter.

(b) Representatives of all health maintenance organizations licensed under part I of chapter 641.

(c) Representatives of employers with self-insured health benefit plans.

(d) Two designees of the Governor, one of whom must be a consumer advocate.

(e) A designee of the President of the Senate.

(f) A designee of the Speaker of the House of Representatives.

(3) The Office of Insurance Regulation shall convene a consumer advisory workgroup for the purpose of providing a forum for comment on the compact negotiated in subsection (2). The office shall convene the workgroup prior to finalization of the compact.

(4) The agreement shall include the following components:

(a) A requirement that each signatory to the agreement increase coverage for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage is provided for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability.

(c) Penalties for documented cases of denial of claims for medically necessary services due to the presence of a developmental disability.

(d) Proposals for new product lines that may be offered in conjunction with traditional health insurance and provide a more appropriate means of spreading risk, financing costs, and accessing favorable prices.

(5) Upon completion of the negotiations for the compact, the office shall report the results to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(6) Beginning February 15, 2009, and continuing annually thereafter, the Office of Insurance Regulation shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the agreement negotiated under this section. The report shall include:

(a) The signatories to the agreement.

(b) An analysis of the coverage provided under the agreement in comparison to the coverage required under ss. 627.6686 and 641.31098.

(c) An analysis of the compliance with the agreement by the signatories, including documented cases of claims denied in violation of the agreement.

(7) The Office of Insurance Regulation shall continue to monitor participation, compliance, and effectiveness of the agreement and report its findings at least annually.

(8) As used in this section, the term "developmental disabilities" includes:

(a) The term as defined in s. 393.063;

(b) Down syndrome, a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21; and

(c) Autism spectrum disorder, as defined in s. 627.6686.

Section 3. Section 627.6686, Florida Statutes, is created to read:

627.6686 Coverage for individuals with autism spectrum disorder required; exception.—

(1) This section and section 641.31098, may be cited as the "Steven A. Geller Autism Coverage Act."

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

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Autism spectrum disorder" means any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder.

2. Asperger's syndrome.

3. Pervasive developmental disorder not otherwise specified.

(c) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(d) "Health insurance plan" means a group health insurance policy or group health benefit plan offered by an insurer which includes the state group insurance program provided under s. 110.123. The term does not include any health insurance plan offered in the individual market, any health insurance plan that is individually underwritten, or any health insurance plan provided to a small employer.

(e) "Insurer" means an insurer providing health insurance coverage, which is licensed to engage in the business of insurance in this state and is subject to insurance regulation.

(3) A health insurance plan issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of autism spectrum disorder.

(b) Treatment of autism spectrum disorder through speech therapy, occupational therapy, physical therapy, and applied behavior analysis. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the insured's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total lifetime benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to other general exclusions and limitations of the insurer's policy or plan, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the health insurance plan, except as otherwise provided in subsection (4).

(6) An insurer may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include all elements necessary for the health insurance plan to appropriately pay claims. These elements include, but are not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(7) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(7) This section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan.

(8) The Office of Insurance Regulation may not enforce this section against an insurer that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against an insurer that is a signatory to the compact established under s. 624.916 if the insurer has not complied with the terms of the compact for all health insurance plans by April 1, 2010.

Section 4. Section 641.31098, Florida Statutes, is created to read:

641.31098 Coverage for individuals with developmental disabilities.—

(1) This section and section 627.6686, may be cited as the "Steven A. Geller Autism Coverage Act."

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

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Autism spectrum disorder" means any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder.

2. Asperger's syndrome.

3. Pervasive developmental disorder not otherwise specified.

(b) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(c) "Health maintenance contract" means a group health maintenance contract offered by a health maintenance organization. This term does not include a health maintenance contract offered in the individual market, a health maintenance contract that is individually underwritten, or a health maintenance contract provided to a small employer.

(3) A health maintenance contract issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of autism spectrum disorder.

(b) Treatment of autism spectrum disorder through speech therapy, occupational therapy, physical therapy, and applied behavior analysis services. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the subscriber's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to general exclusions and limitations of the subscriber's contract, including, but not limited to, coordination of benefits, participating provider requirements, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to a subscriber than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the subscriber's contract, except as otherwise provided in subsection (3).

(6) A health maintenance organization may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual solely because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include, but is not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(8) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(9) The Office of Insurance Regulation may not enforce this section against a health maintenance organization that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against a health maintenance organization that is a signatory to the compact established under s. 624.916 if the health maintenance organization has not complied with the terms of the compact for all health maintenance contracts by April 1, 2010.

Section 5. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 1545-1719 and insert: An act relating to children with disabilities; amending s. 409.906, F.S.; creating the "Window of Opportunity Act"; authorizing the Agency for Health Care Administration to seek federal approval through a state plan amendment to provide home and community-based services for autism spectrum disorder and other development disabilities; specifying eligibility criteria; specifying limitations on provision of benefits; requiring reports to the Legislature; requiring legislative approval for implementation of certain provisions; creating s. 624.916, F.S.; creating the Steven A. Geller Autism Coverage Act"; directing the Office of Insurance Regulation to establish a workgroup to develop and execute a compact relating to coverage for insured persons with development disabilities; providing for membership of the workgroup; requiring the workgroup to convene within a specified period of time; directing the office to establish a consumer advisory workgroup and providing purpose thereof; requiring the compact to contain specified components; requiring reports to the Governor and the Legislature; creating s. 627.6686, F.S.; providing health insurance coverage for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting insurers from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; clarifying that the section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan; prohibiting the Office of Insurance Regulation from enforcing certain provisions against insurers that are signatories to the developmental disabilities compact by a specified date; creating s. 641.31098, F.S.; providing coverage under a health maintenance contract for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting health maintenance organizations from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; prohibiting the Office of Insurance Regulation from enforcing certain provisions against health maintenance organizations that are signatories to the developmental disabilities compact by a specified date; providing an effective date.

On motion by Senator Geller, 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 CS for SB 2654 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212** and **CS for CS for SB 1430** was deferred.

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

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

On motion by Senator Gaetz, **CS for CS for CS for HB 653** as amended was passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Carlton	Haridopolos	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dawson	Lawson	Wise
Dean	Lynn	

Nays—11

Aronberg	Hill	Rich
Bullard	Joyner	Ring
Deutch	Justice	Wilson
Geller	Margolis	

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

SPECIAL ORDER CALENDAR

On motion by Senator King, by two-thirds vote **CS for HB 951** was withdrawn from the Committee on Regulated Industries.

On motion by Senator King, by unanimous consent—

CS for HB 951—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; extending to importers and primary American sources of supply, brand owners, and brand registrants, and brokers, sales agents, and sales persons thereof, the prohibition against providing certain financial assistance to retail vendors; defining the term "brand owner"; providing an effective date.

—a companion measure, was taken up out of order and by two-thirds vote substituted for **CS for SB 2864** and by two-thirds vote read the second time by title. On motion by Senator King, by two-thirds vote **CS for HB 951** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Constantine	Fasano
Alexander	Crist	Gaetz
Aronberg	Dawson	Garcia
Atwater	Dean	Geller
Baker	Deutch	Haridopolos
Bennett	Diaz de la Portilla	Hill
Bullard	Dockery	Jones

Joyner	Margolis	Ring
Justice	Oelrich	Saunders
King	Peaden	Storms
Lawson	Posey	Villalobos
Lynn	Rich	Wilson

Nays—2

Siplin	Wise

Vote after roll call:

Nay—Carlton, Webster

RECESS

The President declared the Senate in recess at 12:35 p.m. to reconvene at 1:45 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:45 p.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for CS for SB 474—A bill to be entitled An act relating to growth management; amending s. 70.51, F.S.; deleting an exemption from the limitation on the frequency of amendments of comprehensive plans; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; authorizing a methodology based on vehicle and miles traveled for calculating proportionate fair-share methodology; providing transportation concurrency incentives for private developers; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment applying to 50 or more acres conduct two meetings to present, discuss, and solicit public comment on the proposed amendment; requiring that one such meeting be conducted before the application is filed and the second meeting be conducted before adoption of the plan amendment; providing notice and procedure requirements for such meetings; requiring that applicants for a plan amendment applying to more than 11 acres but less than 50 acres conduct a meeting before the application is filed and encouraging a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; limiting the adoption of certain plan amendments to twice per calendar year; limiting the adoption of certain plan amendments to once per calendar year; authorizing local governments to adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting

certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; providing a 30-day period for agency comments begins when the state land planning agency notifies the local government that the plan amendment package is complete; requiring adoption of a plan amendment within 120 days of receipt of agency comments or the plan amendment is deemed abandoned; revising the effective date of adopted plan amendments; providing procedural rulemaking authority to the state land planning agency; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at specified intervals regarding those lands not being used for the purpose for which they were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory identifying all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 380.06, F.S.; providing a 3-year extension for the buildout, commencement, and expiration dates of developments of regional impact and Florida Quality Developments, including associated local permits; providing an exception from development-of-regional-impact review; amending s. 380.0651, F.S.; providing an exemption from development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; prohibiting the expansion of certain facilities to accommodate for a charter school unless such use is consistent with the local comprehensive plan; creating s. 1011.775, F.S.; requiring that each district school board prepare an inventory list of certain real property on or before a specified date and at specified intervals thereafter; requiring that such list include certain information; requiring that the district school board review the list at a public meeting and make certain determinations; requiring that the board state its intended use for certain property; authorizing the board to revise the list at the conclusion of the public meeting; requiring that the board adopt a resolution; authorizing the board to offer certain properties for sale and use the proceeds for specified purposes; authorizing the board to make the property available for the production and preservation of permanent affordable housing; defining the term "affordable" for specified purposes; repealing s. 339.282, F.S., relating to transportation concurrency incentives; amending s. 1013.372, F.S.; requiring that certain charter schools serve as public shelters at the request of the local emergency management agency; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an effective date.

—which was previously considered May 1 with pending **Amendment 1** by Senator Garcia.

Amendment 1 (842906)(with title amendment)—Delete line(s) 223-1114 and insert:

Section 1. Section 125.379, Florida Statutes, is transferred, renumbered as section 163.32431, Florida Statutes, and amended to read:

163.32431 ~~125.379~~ Disposition of county property for affordable housing.—

(1) By July 1, 2007, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each ~~such~~ real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of *the* ~~such~~ property following the public hearing.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the county may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

(3) As a precondition to receiving any state affordable housing funding or allocation for any project or program within a county's jurisdiction, a county must, by July 1 of each year, provide certification that the inventory and any update required by this section are complete.

Section 2. Subsection (1) of section 163.3174, Florida Statutes, is amended to read:

163.3174 Local planning agency.—

(1) The governing body of each local government, individually or in combination as provided in s. 163.3171, shall designate and by ordinance establish a "local planning agency," unless the agency is otherwise established by law. Notwithstanding any special act to the contrary, all local planning agencies or equivalent agencies that first review rezoning and comprehensive plan amendments in each municipality and county shall include a representative of the school district appointed by the school board as a nonvoting member ~~of the local planning agency or equivalent agency~~ to attend those meetings at which the agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. However, this subsection does not prevent the ~~governing body of the~~ local government from granting voting status to the school board member. *Members of* the *local* governing body may *not serve on* ~~designate itself as~~ the local planning agency pursuant to this subsection*, except in a municipality having a population of 10,000 or fewer* ~~with the addition of a nonvoting school board representative~~. The *local* governing body shall notify the state land planning agency of the establishment of its local planning agency. All local planning agencies shall provide opportunities for involvement by applicable community college boards, which may be accomplished by formal representation, membership on technical advisory committees, or other appropriate means. The local planning agency shall prepare the comprehensive plan or plan amendment after hearings to be held after public notice and shall make recommendations to the *local* governing body regarding the adoption or amendment of the plan. The *local planning* agency may be a local planning commission, the planning department of the local government, or other instrumentality, including a countywide planning entity established by special act or a council of local government officials created pursuant to s. 163.02, provided the composition of the council is fairly representative of all the governing bodies in the county or planning area; however:

(a) If a joint planning entity is in existence on the effective date of this act which authorizes the governing bodies to adopt and enforce a land use plan effective throughout the joint planning area, that entity shall be the agency for those local governments until such time as the authority of the joint planning entity is modified by law.

(b) In the case of chartered counties, the planning responsibility between the county and the several municipalities therein shall be as stipulated in the charter.

Section 3. Paragraph (b) of subsection (3), paragraph (a) of subsection (4), paragraphs (a), (c), (f), (g), and (h) of subsection (6), paragraph (i) of subsection (10), paragraph (i) of subsection (12), and subsections (13) and (14) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(3)

(b)1. The capital improvements element must be reviewed on an annual basis and modified as necessary in accordance with s. 163.3187 or s. 163.3189 in order to maintain a financially feasible 5-year schedule of capital improvements. Corrections and modifications concerning costs; revenue sources; or acceptance of facilities pursuant to dedications which are consistent with the plan may be accomplished by ordinance and shall not be deemed to be amendments to the local comprehensive plan. A copy of the ordinance shall be transmitted to the state land planning agency. An amendment to the comprehensive plan is required to update the schedule on an annual basis or to eliminate, defer, or delay the construction for any facility listed in the 5-year schedule. All public facilities must be consistent with the capital improvements element. Amendments to implement this section must be adopted and transmitted no later than December 1, *2009* ~~2008~~. Thereafter, a local government may not amend its future land use map, except for plan amendments to meet new requirements under this part and emergency amendments pursuant to s. 163.3187(1)(a), after December 1, *2009* ~~2008~~, and every year thereafter, unless and until the local government has adopted the annual update and it has been transmitted to the state land planning agency.

2. Capital improvements element amendments adopted after the effective date of this act shall require only a single public hearing before the governing board which shall be an adoption hearing as described in s. 163.3184(7). Such amendments are not subject to the requirements of s. 163.3184(3)-(6).

(4)(a) Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.0361; with adopted rules pertaining to designated areas of critical state concern; and with the state comprehensive plan shall be a major objective of the local comprehensive planning process. To that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region and to the state comprehensive plan, as the case may require and as such adopted plans or plans in preparation may exist.

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant to ~~the provisions of~~ paragraph (11)(d), as overlays on the future land use map.

1. Each future land use category must be defined in terms of uses included, and must include standards *for* ~~to be followed in~~ the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.

2. The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services; the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community; the compatibility of uses on lands adjacent to or closely proximate to military installations; *the discouragement of urban sprawl; energy-efficient land use patterns that reduce vehicle miles traveled;* and, in rural communities, the need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

3. The future land use plan may designate areas for future planned development use involving combinations of types of uses for which special regulations may be necessary to ensure development in accord with the principles and standards of the comprehensive plan and this act.

4. The future land use plan element shall include criteria ~~to be used~~ to achieve the compatibility of adjacent or closely proximate lands with military installations.

5. Counties are encouraged to adopt a rural sub-element as a part of the future land use plan. The sub-element shall apply to all lands classified in the future land use plan as predominantly agricultural, rural, open, open-rural, or a substantively equivalent land use. The rural sub-element shall include goals, objectives, and policies that enhance rural economies, promote the viability of agriculture, provide for appropriate economic development, discourage urban sprawl, and ensure the protection of natural resources. The rural sub-element shall generally identify anticipated areas of rural, agricultural, and conservation and areas that may be considered for conversion to urban land use and appropriate sites for affordable housing. The rural sub-element shall also generally identify areas that may be considered for rural land stewardship areas, sector planning, or new communities or towns in accordance with subsection (11) and s. 163.3245(2). ~~In addition,~~ For rural communities, the amount of land designated for future planned industrial use shall be based upon surveys and studies that reflect the need for job creation, capital investment, and the necessity to strengthen and diversify the local economies, and *may* ~~shall~~ not be limited solely by the projected population of the rural community.

6. The future land use plan of a county may also designate areas for possible future municipal incorporation.

7. The land use maps or map series shall generally identify and depict historic district boundaries and ~~shall~~ designate historically significant properties meriting protection.

8. For coastal counties, the future land use element must include, without limitation, regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts as defined in s. 342.07.

9. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating *such* ~~the~~ land use categories ~~in which public schools are an allowable use~~, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use. ~~The failure by a local government to comply with these school siting requirements will result in the prohibition of~~ The local *government may not* ~~government's ability to~~ amend the local comprehensive plan, except for plan amendments described in s. 163.3187(1)(b), until the school siting requirements are met. ~~Amendments proposed by a local government for purposes of identifying the land use categories in which public schools are an allowable use are exempt from the limitation on the frequency of plan amendments contained in s. 163.3187.~~ The future land use element shall include criteria that encourage the location of schools proximate to urban residential areas to the extent possible and shall require that the local government seek to collocate public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods. For schools serving predominantly rural counties, defined as a county *having* ~~with~~ a population of 100,000 or fewer, an agricultural land use category shall be eligible for the location of public school facilities if the local comprehensive plan contains school siting criteria and the location is consistent with such criteria. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of adjacent or closely proximate lands with existing military installations in their future land use plan element shall transmit the update or amendment to the department by June 30, 2006.

(c) A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas

of prime groundwater recharge. The element shall describe the problems and needs and the general facilities that will be required for solution of the problems and needs. The element shall also include a topographic map depicting any areas adopted by a regional water management district as prime groundwater recharge areas for the Floridan or Biscayne aquifers. These areas shall be given special consideration when the local government is engaged in zoning or considering future land use for said designated areas. For areas served by septic tanks, soil surveys shall be provided which indicate the suitability of soils for septic tanks. Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to s. 373.0361(2)(a) or proposed by the local government under s. 373.0361(7)(b). If a local government is located within two water management districts, the local government shall adopt its comprehensive plan amendment within 18 months after the later updated regional water supply plan. The element must identify such alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs identified in s. 373.0361(2)(a) within the local government's jurisdiction and include a work plan, covering at least a 10 year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the element as necessary to serve existing and new development. The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan. ~~Amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan.~~ Local governments, public and private utilities, regional water supply authorities, special districts, and water management districts are encouraged to cooperatively plan for the development of multijurisdictional water supply facilities that are sufficient to meet projected demands for established planning periods, including the development of alternative water sources to supplement traditional sources of groundwater and surface water supplies.

(f)1. A housing element consisting of standards, plans, and principles to be followed in:

a. The provision of housing for all current and anticipated future residents of the jurisdiction.

b. The elimination of substandard dwelling conditions.

c. The structural and aesthetic improvement of existing housing.

d. The provision of adequate sites for future housing, including affordable workforce housing as defined in s. 380.0651(3)(j), housing for low-income, very low-income, and moderate-income families, mobile homes, *senior affordable housing,* and group home facilities and foster care facilities, with supporting infrastructure and public facilities. *This includes compliance with the applicable public lands provision under s. 163.32431 or s. 163.32432.*

e. Provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.

f. The formulation of housing implementation programs.

g. The creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.

(I)~~h.~~ By July 1, 2008, each county in which the gap between the buying power of a family of four and the median county home sale price exceeds $170,000, as determined by the Florida Housing Finance Corporation, and which is not designated as an area of critical state concern shall adopt a plan for ensuring affordable workforce housing. At a minimum, the plan shall identify adequate sites for such housing. For purposes of this sub-subparagraph, the term "workforce housing" means housing that is affordable to natural persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size.

(II)~~i.~~ *As a precondition to receiving any state affordable housing funding or allocation for any project or program within the jurisdiction of a county that is subject to sub-sub-subparagraph (I), a county must, by July 1 of each year, provide certification that the county has complied with the requirements of sub-sub-subparagraph (I).* ~~Failure by a local government to comply with the requirement in sub-subparagraph h. will result in the local government being ineligible to receive any state housing assistance grants until the requirement of sub-subparagraph h. is met.~~

2. The goals, objectives, and policies of the housing element must be based on the data and analysis prepared on housing needs, including the affordable housing needs assessment. State and federal housing plans prepared on behalf of the local government must be consistent with the goals, objectives, and policies of the housing element. Local governments are encouraged to *use* ~~utilize~~ job training, job creation, and economic solutions to address a portion of their affordable housing concerns.

3.~~2.~~ To assist local governments in housing data collection and analysis and assure uniform and consistent information regarding the state's housing needs, the state land planning agency shall conduct an affordable housing needs assessment for all local jurisdictions on a schedule that coordinates the implementation of the needs assessment with the evaluation and appraisal reports required by s. 163.3191. Each local government shall *use* ~~utilize~~ the data and analysis from the needs assessment as one basis for the housing element of its local comprehensive plan. The agency shall allow a local government ~~the option~~ to perform its own needs assessment~~,~~ if it uses the methodology established by the agency by rule.

(g)1. For those units of local government identified in s. 380.24, a coastal management element, appropriately related to the particular requirements of paragraphs (d) and (e) and meeting the requirements of s. 163.3178(2) and (3). The coastal management element shall set forth the policies that shall guide the local government's decisions and program implementation with respect to the following objectives:

a. Maintenance, restoration, and enhancement of the overall quality of the coastal zone environment, including, but not limited to, its amenities and aesthetic values.

b. Continued existence of viable populations of all species of wildlife and marine life.

c. The orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.

d. Avoidance of irreversible and irretrievable loss of coastal zone resources.

e. Ecological planning principles and assumptions to be used in the determination of suitability and extent of permitted development.

f. Proposed management and regulatory techniques.

g. Limitation of public expenditures that subsidize development in high-hazard coastal areas.

h. Protection of human life against the effects of natural disasters.

i. The orderly development, maintenance, and use of ports identified in s. 403.021(9) to facilitate deepwater commercial navigation and other related activities.

j. Preservation, including sensitive adaptive use of historic and archaeological resources.

2. As part of this element, a local government that has a coastal management element in its comprehensive plan is encouraged to adopt recreational surface water use policies that include applicable criteria for and consider such factors as natural resources, manatee protection needs, protection of working waterfronts and public access to the water, and recreation and economic demands. Criteria for manatee protection in the recreational surface water use policies should reflect applicable guidance outlined in the Boat Facility Siting Guide prepared by the Fish and Wildlife Conservation Commission. ~~If the local government elects to adopt recreational surface water use policies by comprehensive plan amendment, such comprehensive plan amendment is exempt from the provisions of s. 163.3187(1).~~ Local governments that wish to adopt recreational surface water use policies may be eligible for assistance with the development of such policies through the Florida Coastal Management

Program. The Office of Program Policy Analysis and Government Accountability shall submit a report on the adoption of recreational surface water use policies under this subparagraph to the President of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and the House of Representatives no later than December 1, 2010.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element shall provide for procedures to identify and implement joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for recognition of campus master plans prepared pursuant to s. 1013.30.

c. The intergovernmental coordination element may provide for a voluntary dispute resolution process as established pursuant to s. 186.509 for bringing to closure in a timely manner intergovernmental disputes. A local government may develop and use an alternative local dispute resolution process for this purpose.

2. The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

3. To foster coordination between special districts and local general-purpose governments as local general-purpose governments implement local comprehensive plans, each independent special district must submit a public facilities report to the appropriate local government as required by s. 189.415.

4.~~a.~~ Local governments must execute an interlocal agreement with the district school board, the county, and nonexempt municipalities pursuant to s. 163.31777. The local government shall amend the intergovernmental coordination element to provide that coordination between the local government and school board is pursuant to the agreement and shall state the obligations of the local government under the agreement.

~~b. Plan amendments that comply with this subparagraph are exempt from the provisions of s. 163.3187(1).~~

5. The state land planning agency shall establish a schedule for phased completion and transmittal of plan amendments to implement subparagraphs 1., 2., and 3. from all jurisdictions so as to accomplish their adoption by December 31, 1999. A local government may complete and transmit its plan amendments to carry out these provisions prior to the scheduled date established by the state land planning agency. The plan amendments are exempt from the provisions of s. 163.3187(1).

6. By January 1, 2004, any county having a population greater than 100,000, and the municipalities and special districts within that county, shall submit a report to the Department of Community Affairs which:

a. Identifies all existing or proposed interlocal service delivery agreements regarding the following: education; sanitary sewer; public safety; solid waste; drainage; potable water; parks and recreation; and transportation facilities.

b. Identifies any deficits or duplication in the provision of services within its jurisdiction, whether capital or operational. Upon request, the Department of Community Affairs shall provide technical assistance to the local governments in identifying deficits or duplication.

7. Within 6 months after submission of the report, the Department of Community Affairs shall, through the appropriate regional planning council, coordinate a meeting of all local governments within the regional planning area to discuss the reports and potential strategies to remedy any identified deficiencies or duplications.

8. Each local government shall update its intergovernmental coordination element based upon the findings in the report submitted pursuant to subparagraph 6. The report may be used as supporting data and analysis for the intergovernmental coordination element.

(10) The Legislature recognizes the importance and significance of chapter 9J-5, Florida Administrative Code, the Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance of the Department of Community Affairs that will be used to determine compliance of local comprehensive plans. The Legislature reserved unto itself the right to review chapter 9J-5, Florida Administrative Code, and to reject, modify, or take no action relative to this rule. Therefore, pursuant to subsection (9), the Legislature hereby has reviewed chapter 9J-5, Florida Administrative Code, and expresses the following legislative intent:

(i) *The Legislature recognizes that due to varying local conditions, local governments have different planning needs that cannot be addressed by one uniform set of minimum planning criteria. Therefore, the state land planning agency may amend chapter 9J-5, Florida Administrative Code, to establish different minimum criteria that are applicable to local governments based on the following factors:*

1. Current and projected population.

2. Size of the local jurisdiction.

3. Amount and nature of undeveloped land.

4. The scale of public services provided by the local government.

The *state land planning agency* ~~department~~ shall take into account the factors delineated in rule 9J-5.002(2), Florida Administrative Code, as it provides assistance to local governments and applies the rule in specific situations with regard to the detail of the data and analysis required.

(12) A public school facilities element adopted to implement a school concurrency program shall meet the requirements of this subsection. Each county and each municipality within the county, unless exempt or subject to a waiver, must adopt a public school facilities element that is consistent with those adopted by the other local governments within the county and enter the interlocal agreement pursuant to s. 163.31777.

(i) The state land planning agency shall establish a phased schedule for adoption of the public school facilities element and the required updates to the public schools interlocal agreement pursuant to s. 163.31777. The schedule shall provide for each county and local government within the county to adopt the element and update to the agreement no later than December 1, *2009* ~~2008~~. Plan amendments to adopt a public school facilities element are exempt from the provisions of s. 163.3187(1).

(13)*(a) The Legislature recognizes and finds that:*

1. There are a number of rural agricultural industrial centers in the state which process, produce, or aid in the production or distribution of a variety of agriculturally based products, such as fruits, vegetables, timber, and other crops, as well as juices, paper, and building materials. These rural agricultural industrial centers may have a significant

amount of existing associated infrastructure that is used for the processing, production, or distribution of agricultural products.

2. Such rural agricultural industrial centers often are located within or near communities in which the economy is largely dependent upon agriculture and agriculturally based products. These centers significantly enhance the economy of such communities. However, these agriculturally based communities often are socioeconomically challenged and many such communities have been designated as rural areas of critical economic concern. If these existing rural agricultural industrial centers are lost and or not replaced with other job-creating enterprises, these agriculturally based communities may lose a substantial amount of their economies.

3. The state has a compelling interest in preserving the viability of agriculture and protecting rural agricultural communities and the state from the economic upheaval that could result from short-term or long-term adverse changes in the agricultural economy. To protect such communities and promote viable agriculture for the long term, it is essential to encourage and permit diversification of existing rural agricultural industrial centers by providing for jobs that are not solely dependent upon but are compatible with and complement existing agricultural industrial operations and to encourage the creation and expansion of industries that use agricultural products in innovative or new ways. However, the expansion and diversification of these existing centers must be accomplished in a manner that does not promote urban sprawl into surrounding agricultural and rural areas.

(b) As used in this subsection, the term "rural agricultural industrial center" means a developed parcel of land in an unincorporated area on which there exists an operating agricultural industrial facility or facilities that employ at least 200 full-time employees in the aggregate and that are used for processing and preparing for transport a farm product, as defined in s. 163.3162, or any biomass material that could be used, directly or indirectly, for the production of fuel, renewable energy, bioenergy, or alternative fuel as defined by state law. The center may also include land contiguous to the facility site which is not used for the cultivation of crops, but on which other existing activities essential to the operation of such facility or facilities are located or conducted. The parcel of land must be located within or in reasonable proximity, not to exceed 10 miles, to a rural area of critical economic concern.

(c) A landowner within a rural agricultural industrial center may apply for an amendment to the local government comprehensive plan for the purpose of designating and expanding the existing agricultural industrial uses or facilities located in the center or expanding the existing center to include industrial uses or facilities that are not dependent upon but are compatible with agriculture and the existing uses and facilities. An application for a comprehensive plan amendment under this paragraph:

1. May not increase the physical area of the original existing rural agricultural industrial center by more than 50 percent or 200 acres, whichever is greater;

2. Must propose a project that would create, upon completion, at least 50 new full-time jobs;

3. Must demonstrate that infrastructure capacity exists or will be provided to support the expanded center at level-of-service standards adopted in the local government comprehensive plan;

4. Must contain goals, objectives, and policies that will prevent urban sprawl in the areas surrounding the expanded center, or demonstrate that the local government comprehensive plan contains such provisions; and

5. Must contain goals, objectives, and policies that will ensure that any adverse environmental impacts of the expanded center will be adequately addressed and mitigated, or demonstrate that the local government comprehensive plan contains such provisions.

An amendment that meets the requirements of this subsection is presumed to be consistent with rule 9J-5.006(5), Florida Administrative Code. This presumption may be rebutted by a preponderance of the evidence.

(d) This subsection does not apply to an optional sector plan adopted pursuant to s. 163.3245 or to a rural land stewardship area designated pursuant to subsection (11). ~~Local governments are encouraged to develop a community vision that provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources. At the request of a local government, the applicable regional planning council shall provide assistance in the development of a community vision.~~

~~(a) As part of the process of developing a community vision under this section, the local government must hold two public meetings with at least one of those meetings before the local planning agency. Before those public meetings, the local government must hold at least one public workshop with stakeholder groups such as neighborhood associations, community organizations, businesses, private property owners, housing and development interests, and environmental organizations.~~

~~(b) The local government must, at a minimum, discuss five of the following topics as part of the workshops and public meetings required under paragraph (a):~~

~~1. Future growth in the area using population forecasts from the Bureau of Economic and Business Research;~~

~~2. Priorities for economic development;~~

~~3. Preservation of open space, environmentally sensitive lands, and agricultural lands;~~

~~4. Appropriate areas and standards for mixed-use development;~~

~~5. Appropriate areas and standards for high-density commercial and residential development;~~

~~6. Appropriate areas and standards for economic development opportunities and employment centers;~~

~~7. Provisions for adequate workforce housing;~~

~~8. An efficient, interconnected multimodal transportation system; and~~

~~9. Opportunities to create land use patterns that accommodate the issues listed in subparagraphs 1.-8.~~

~~(c) As part of the workshops and public meetings, the local government must discuss strategies for addressing the topics discussed under paragraph (b), including:~~

~~1. Strategies to preserve open space and environmentally sensitive lands, and to encourage a healthy agricultural economy, including innovative planning and development strategies, such as the transfer of development rights;~~

~~2. Incentives for mixed-use development, including increased height and intensity standards for buildings that provide residential use in combination with office or commercial space;~~

~~3. Incentives for workforce housing;~~

~~4. Designation of an urban service boundary pursuant to subsection (2); and~~

~~5. Strategies to provide mobility within the community and to protect the Strategic Intermodal System, including the development of a transportation corridor management plan under s. 337.273.~~

~~(d) The community vision must reflect the community's shared concept for growth and development of the community, including visual representations depicting the desired land use patterns and character of the community during a 10-year planning timeframe. The community vision must also take into consideration economic viability of the vision and private property interests.~~

~~(e) After the workshops and public meetings required under paragraph (a) are held, the local government may amend its comprehensive plan to include the community vision as a component in the plan. This plan amendment must be transmitted and adopted pursuant to the procedures in ss. 163.3184 and 163.3189 at public hearings of the governing body other than those identified in paragraph (a).~~

~~(f) Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(g) A local government that has developed a community vision or completed a visioning process after July 1, 2000, and before July 1, 2005, which substantially accomplishes the goals set forth in this subsection and the appropriate goals, policies, or objectives have been adopted as part of the comprehensive plan or reflected in subsequently adopted land development regulations and the plan amendment incorporating the community vision as a component has been found in compliance is eligible for the incentives in s. 163.3184(17).~~

~~(14) Local governments are also encouraged to designate an urban service boundary. This area must be appropriate for compact, contiguous urban development within a 10-year planning timeframe. The urban service area boundary must be identified on the future land use map or map series. The local government shall demonstrate that the land included within the urban service boundary is served or is planned to be served with adequate public facilities and services based on the local government's adopted level-of-service standards by adopting a 10-year facilities plan in the capital improvements element which is financially feasible. The local government shall demonstrate that the amount of land within the urban service boundary does not exceed the amount of land needed to accommodate the projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning timeframe.~~

~~(a) As part of the process of establishing an urban service boundary, the local government must hold two public meetings with at least one of those meetings before the local planning agency. Before those public meetings, the local government must hold at least one public workshop with stakeholder groups such as neighborhood associations, community organizations, businesses, private property owners, housing and development interests, and environmental organizations.~~

~~(b)1. After the workshops and public meetings required under paragraph (a) are held, the local government may amend its comprehensive plan to include the urban service boundary. This plan amendment must be transmitted and adopted pursuant to the procedures in ss. 163.3184 and 163.3189 at meetings of the governing body other than those required under paragraph (a).~~

~~2. This subsection does not prohibit new development outside an urban service boundary. However, a local government that establishes an urban service boundary under this subsection is encouraged to require a full-cost-accounting analysis for any new development outside the boundary and to consider the results of that analysis when adopting a plan amendment for property outside the established urban service boundary.~~

~~(c) Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(d) A local government that has adopted an urban service boundary before July 1, 2005, which substantially accomplishes the goals set forth in this subsection is not required to comply with paragraph (a) or subparagraph 1. of paragraph (b) in order to be eligible for the incentives under s. 163.3184(17). In order to satisfy the provisions of this paragraph, the local government must secure a determination from the state land planning agency that the urban service boundary adopted before July 1, 2005, substantially complies with the criteria of this subsection, based on data and analysis submitted by the local government to support this determination. The determination by the state land planning agency is not subject to administrative challenge.~~

Section 4. Subsections (3), (4), (5), and (6) of section 163.31771, Florida Statutes, are amended to read:

163.31771 Accessory dwelling units.—

(3) Upon a finding by a local government that there is a shortage of affordable rentals within its jurisdiction, the local government may *amend its comprehensive plan* ~~adopt an ordinance~~ to allow accessory dwelling units in any area zoned for single-family residential use.

(4) If the local government *amends its comprehensive plan pursuant to* ~~adopts an ordinance under~~ this section, an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.

(5) Each accessory dwelling unit allowed by *the comprehensive plan* ~~an ordinance adopted under this section~~ shall apply toward satisfying the affordable housing component of the housing element in the local government's comprehensive plan under s. 163.3177(6)(f)*, and if such unit is subject to a recorded land use restriction agreement restricting its use to affordable housing, the unit may not be treated as a new unit for purposes of transportation concurrency or impact fees. Accessory dwelling units may not be located on land within a coastal high-hazard area or on lands identified as environmentally sensitive in the local comprehensive plan.*

~~(6) The Department of Community Affairs shall evaluate the effectiveness of using accessory dwelling units to address a local government's shortage of affordable housing and report to the Legislature by January 1, 2007. The report must specify the number of ordinances adopted by a local government under this section and the number of accessory dwelling units that were created under these ordinances.~~

Section 5. Paragraph (h) of subsection (2) and subsection (9) of section 163.3178, Florida Statutes, are amended to read:

163.3178 Coastal management.—

(2) Each coastal management element required by s. 163.3177(6)(g) shall be based on studies, surveys, and data; be consistent with coastal resource plans prepared and adopted pursuant to general or special law; and contain:

(h) Designation of coastal high-hazard areas and the criteria for mitigation for a comprehensive plan amendment in a coastal high-hazard area as *provided* ~~defined~~ in subsection (9). The coastal high-hazard area is the area *seaward of* ~~below~~ the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. *Except as demonstrated by site-specific, reliable data and analysis, the coastal high-hazard area includes all lands within the area from the mean low-water line to the inland extent of the category 1 storm surge area. Such area is depicted by, but not limited to, the areas illustrated in the most current SLOSH Storm Surge Atlas.* Application of mitigation and the application of development and redevelopment policies, pursuant to s. 380.27(2), and any rules adopted thereunder, shall be at the discretion of *the* local government.

(9)~~(a)~~ Local governments may elect to comply with *state coastal high-hazard provisions pursuant to* rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code, through the process provided in this section.

(a) A proposed comprehensive plan amendment shall be found in compliance ~~with state coastal high-hazard provisions pursuant to rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code,~~ if:

1. *The area subject to the amendment is not:*

a. Within a designated area of critical state concern;

b. Inclusive of areas within the FEMA velocity zones;

c. Subject to coastal erosion;

d. Seaward of the coastal construction control line; or

e. Subject to repetitive damage from coastal storms and floods.

2. The local government has adopted the following as a part of its comprehensive plan:

a. Hazard mitigation strategies that reduce, replace, or eliminate unsafe structures and properties subject to repetitive losses from coastal storms or floods.

b. Measures that reduce exposure to hazards including:

(I) Relocation;

(II) Structural modifications of threatened infrastructure;

(III) Provisions for operational or capacity improvements to maintain hurricane evacuation clearance times within established limits; and

(IV) Prohibiting public expenditures for capital improvements that subsidize increased densities and intensities of development within the coastal high-hazard area.

c. A postdisaster redevelopment plan.

3.a. The adopted level of service for out-of-county hurricane evacuation *clearance time* is maintained for a category 5 storm event as measured on the Saffir-Simpson scale *if the adopted out-of-county hurricane evacuation clearance time does not exceed 16 hours and is based upon the time necessary to reach shelter space*;

b.~~2.~~ A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or

c.~~3.~~ Appropriate mitigation is provided *to ensure* that *the requirements of sub-subparagraph a. or sub-subparagraph b. are achieved.* ~~will satisfy the provisions of subparagraph 1. or subparagraph 2.~~ Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation *may* ~~shall~~ not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to *establish* ~~memorialize~~ the mitigation plan. *The executed agreement must be submitted along with the adopted plan amendment.*

(b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by July 1, *2009* ~~2008~~, but elect to comply ~~with rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code,~~ by following the process in paragraph (a), the level of service *may not exceed* ~~shall be no greater than~~ 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale *based upon the time necessary to reach shelter space*.

(c) This subsection *applies* ~~shall become effective immediately and shall apply~~ to all local governments. *By* ~~No later than~~ July 1, *2009* ~~2008~~, local governments shall amend their future land use map and coastal management element to include the ~~new~~ definition of coastal high-hazard area *provided in paragraph (2)(h)* and to depict the coastal high-hazard area on the future land use map.

Section 6. Section 163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(1) *APPLICABILITY OF CONCURRENCY REQUIREMENT.*—

(a) *Public facility types.*—Sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, and transportation facilities, including mass transit, where applicable, are the only public facilities and services subject to the concurrency requirement on a statewide basis. Additional public facilities and services may not be made subject to concurrency on a statewide basis without appropriate study and approval by the Legislature; however, any local government may extend the concurrency requirement ~~so that it applies~~ to *apply to* additional public facilities within its jurisdiction.

(b) *Transportation methodologies.*—Local governments shall use professionally accepted techniques for measuring level of service for automobiles, bicycles, pedestrians, transit, and trucks. These techniques may be used to evaluate increased accessibility by multiple modes and reductions in vehicle miles of travel in an area or zone. The *state land planning agency and the* Department of Transportation shall develop methodologies to assist local governments in implementing this multimodal level-of-service analysis *and*~~. The Department of Community Affairs and the Department of Transportation~~ shall provide technical assistance to local governments in applying *the* ~~these~~ methodologies.

(2) *PUBLIC FACILITY AVAILABILITY STANDARDS.*—

(a) *Sanitary sewer, solid waste, drainage, adequate water supply, and potable water facilities.*—Consistent with public health and safety, sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available *by* ~~no later than~~ the anticipated date of issuance ~~by the local government~~ of *the* ~~a~~ certificate of occupancy or its functional equivalent. A local government may meet the concurrency requirement for sanitary sewer through the use of onsite sewage treatment and disposal systems approved by the Department of Health to serve new development.

(b) *Parks and recreation facilities.*—Consistent with the public welfare, and except as otherwise provided in this section, parks and recreation facilities to serve new development shall be in place or under actual construction *within* ~~no later than~~ 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. However, the acreage for such facilities *must* ~~shall~~ be dedicated or be acquired by the local government prior to issuance ~~by the local government~~ of *the* ~~a~~ certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share shall be committed no later than the local government's approval to commence construction.

(c) *Transportation facilities.*—Consistent with the public welfare, and except as otherwise provided in this section, transportation facilities needed to serve new development *must* ~~shall~~ be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent that results in traffic generation.

(3) *ESTABLISHING LEVEL-OF-SERVICE STANDARDS.*—Governmental entities that are not responsible for providing, financing, operating, or regulating public facilities needed to serve development may not establish binding level-of-service standards on governmental entities that do bear those responsibilities. This subsection does not limit the authority of any agency to recommend or make objections, recommendations, comments, or determinations during reviews conducted under s. 163.3184.

(4) *APPLICATION OF CONCURRENCY TO PUBLIC FACILITIES.*—

(a) *State and other public facilities.*—The concurrency requirement as implemented in local comprehensive plans applies to state and other public facilities and development to the same extent that it applies to all other facilities and development, as provided by law.

(b) *Public transit facilities.*—The concurrency requirement as implemented in local comprehensive plans does not apply to public transit facilities. For the purposes of this paragraph, public transit facilities include transit stations and terminals; transit station parking; park-and-ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the maintenance or storage of aircraft. As used in this paragraph, the terms "terminals" and "transit facilities" do not include seaports or commercial or residential development constructed in conjunction with a public transit facility.

(c) *Infill and redevelopment areas.*—The concurrency requirement, except as it relates to transportation facilities and public schools, as implemented in local government comprehensive plans, may be waived by a local government for urban infill and redevelopment areas designated pursuant to s. 163.2517 if such ~~a~~ waiver does not endanger public health or safety as defined by the local government in its local government comprehensive plan. The waiver *must* ~~shall~~ be adopted as a plan amendment *using* ~~pursuant to~~ the process ~~set forth~~ in s. 163.3187(3)(a). A local government may grant a concurrency exception pursuant to subsection (5) for transportation facilities located within ~~these~~ urban infill and redevelopment areas.

(5) *TRANSPORTATION CONCURRENCY EXCEPTION AREAS.*—

(a) *Countervailing planning and public policy goals.*—The Legislature finds that under limited circumstances ~~dealing with transportation facilities~~, countervailing planning and public policy goals may come into conflict with the requirement that adequate public *transportation* facilities and services be available concurrent with the impacts of such development. The Legislature further finds that ~~often~~ the unintended result of the concurrency requirement for transportation facilities is *often* the discouragement of urban infill development and redevelopment. Such unintended results directly conflict with the goals and policies of the

state comprehensive plan and the intent of this part. *The Legislature also finds that in urban centers transportation cannot be effectively managed and mobility cannot be improved solely through the expansion of roadway capacity, that the expansion of roadway capacity is not always physically or financially possible, and that a range of transportation alternatives are essential to satisfy mobility needs, reduce congestion, and achieve healthy, vibrant centers.* Therefore, exceptions from the concurrency requirement for transportation facilities may be granted as provided by this subsection.

(b) *Geographic applicability.—*

1. Within municipalities, transportation concurrency exception areas are established for geographic areas identified in the adopted portion of the comprehensive plan as of July 1, 2008, for:

a. Urban infill development;

b. Urban redevelopment;

c. Downtown revitalization; or

d. Urban infill and redevelopment under s. 163.2517.

2. In other portions of the state, including municipalities and unincorporated areas of counties, a local government may *adopt a comprehensive plan amendment establishing a transportation concurrency exception area* ~~grant an exception from the concurrency requirement for transportation facilities if the proposed development is otherwise consistent with the adopted local government comprehensive plan and is a project that promotes public transportation or is located~~ within an area designated in the comprehensive plan for:

a.~~1.~~ Urban infill development;

b.~~2.~~ Urban redevelopment;

c.~~3.~~ Downtown revitalization;

d.~~4.~~ Urban infill and redevelopment under s. 163.2517; or

e.~~5.~~ An urban service area *consisting of* ~~specifically designated as a transportation concurrency exception area which includes~~ lands appropriate for compact~~,~~ contiguous urban development, which does not exceed the amount of land needed to accommodate the projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning period, and which is served or is planned to be served with public facilities and services as provided by the capital improvements element.

(c) *Projects having special part-time demands.*—The Legislature also finds that developments located within urban infill, urban redevelopment, existing urban service, or downtown revitalization areas or areas designated as urban infill and redevelopment areas under s. 163.2517 which pose only special part-time demands on the transportation system should be excepted from the concurrency requirement for transportation facilities. A special part-time demand is one that does not have more than 200 scheduled events during any calendar year and does not affect the 100 highest traffic volume hours.

(d) *Long-term strategies within transportation concurrency exception areas.—Except for transportation concurrency exception areas established pursuant to subparagraph (b)1., the following requirements apply:* ~~A local government shall establish guidelines in the comprehensive plan for granting the exceptions authorized in paragraphs (b) and (c) and subsections (7) and (15) which must be consistent with and support a comprehensive strategy adopted in the plan to promote the purpose of the exceptions.~~

1.~~(e)~~ The local government shall adopt into the plan and implement long-term strategies to support and fund mobility within the designated exception area, including alternative modes of transportation. The plan amendment must ~~also~~ demonstrate how strategies will support the purpose of the exception and how mobility within the designated exception area will be provided.

2. ~~In addition,~~ The strategies must address urban design; appropriate land use mixes, including intensity and density; and network connectivity plans needed to promote urban infill, redevelopment, or downtown revitalization. The comprehensive plan amendment designating the ~~concurrency~~ exception area must be accompanied by data and analysis justifying the size of the area.

(e)~~(f)~~ *Strategic Intermodal System.*—Prior to the designation of a concurrency exception area *pursuant to subparagraph (b)2.*, the state land planning agency and the Department of Transportation shall be consulted by the local government to assess the impact that the proposed exception area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities~~, as defined in s. 339.64,~~ and roadway facilities funded in accordance with s. 339.2819 *and to provide for mitigation of the impacts*. Further, *as a part of the comprehensive plan amendment establishing the exception area,* the local government shall *provide for mitigation of impacts*~~, in consultation with the state land planning agency and the Department of Transportation, develop a plan to mitigate any impacts~~ to the Strategic Intermodal System, including, if appropriate, *access management, parallel reliever roads, transportation demand management, or other measures* ~~the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). The exceptions may be available only within the specific geographic area of the jurisdiction designated in the plan. Pursuant to s. 163.3184, any affected person may challenge a plan amendment establishing these guidelines and the areas within which an exception could be granted.~~

~~(g) Transportation concurrency exception areas existing prior to July 1, 2005, must, at a minimum, meet the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~

(6) *DE MINIMIS IMPACT.*—The Legislature finds that a de minimis impact is consistent with this part. A de minimis impact is an impact that *does* ~~would~~ not affect more than 1 percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the local government. *An* ~~No~~ impact *is not* ~~will be~~ de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility *exceeds* ~~would exceed~~ 110 percent of the maximum volume at the adopted level of service of the affected transportation facility; ~~provided~~ however, *the* ~~that an~~ impact of a single family home on an existing lot *is* ~~will constitute~~ a de minimis impact on all roadways regardless of the level of the deficiency of the roadway. Further, *an* ~~no~~ impact *is not* ~~will be~~ de minimis if it *exceeds* ~~would exceed~~ the adopted level-of-service standard of any affected designated hurricane evacuation routes. Each local government shall maintain sufficient records to ensure that the 110-percent criterion is not exceeded. ~~Each local government shall submit annually, with its updated capital improvements element, a summary of the de minimis records. If the state land planning agency determines that the 110-percent criterion has been exceeded, the state land planning agency shall notify the local government of the exceedance and that no further de minimis exceptions for the applicable roadway may be granted until such time as the volume is reduced below the 110 percent. The local government shall provide proof of this reduction to the state land planning agency before issuing further de minimis exceptions.~~

(7) *CONCURRENCY MANAGEMENT AREAS.*—In order to promote infill development and redevelopment, one or more transportation concurrency management areas may be designated in a local government comprehensive plan. A transportation concurrency management area must be a compact geographic area *that has* ~~with~~ an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. A local government may establish an areawide level-of-service standard for ~~such~~ a transportation concurrency management area based upon an analysis that provides for a justification for the areawide level of service, how urban infill development or redevelopment will be promoted, and how mobility will be accomplished within the transportation concurrency management area. Prior to the designation of a concurrency management area, *the local government shall consult with the state land planning agency and* the Department of Transportation ~~shall be consulted by the local government~~ to assess the impact that the proposed concurrency management area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities~~, as defined in s. 339.64,~~ and roadway facilities funded in accordance with s. 339.2819. Further, the local government shall, in cooperation with the *state land planning agency and the* Department of Transportation, develop a plan to mitigate any impacts to the Strategic Intermodal System, including, if appropriate, the development of a long-term concurrency management system pursuant

to subsection (9) and s. 163.3177(3)(d). ~~Transportation concurrency management areas existing prior to July 1, 2005, shall meet, at a minimum, the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~ The state land planning agency shall amend chapter 9J-5, Florida Administrative Code, to be consistent with this subsection.

(8) *URBAN REDEVELOPMENT.*—When assessing the transportation impacts of proposed urban redevelopment within an established existing urban service area, *150* ~~110~~ percent of the actual transportation impact caused by the previously existing development must be reserved for the redevelopment, even if the previously existing development has a lesser or nonexisting impact pursuant to the calculations of the local government. Redevelopment requiring less than *150* ~~110~~ percent of the previously existing capacity *may* ~~shall~~ not be prohibited due to the reduction of transportation levels of service below the adopted standards. This does not preclude the appropriate assessment of fees or accounting for the impacts within the concurrency management system and capital improvements program of the affected local government. This paragraph does not affect local government requirements for appropriate development permits.

(9) *LONG-TERM CONCURRENCY MANAGEMENT.*—

(a) Each local government may adopt*,* as a part of its plan, long-term transportation and school concurrency management systems *that have* ~~with~~ a planning period of up to 10 years for specially designated districts or areas where significant backlogs exist. The plan may include interim level-of-service standards on certain facilities and shall rely on the local government's schedule of capital improvements for up to 10 years as a basis for issuing development orders that authorize commencement of construction in these designated districts or areas. The concurrency management system must be designed to correct existing deficiencies and set priorities for addressing backlogged facilities *and be coordinated with the appropriate metropolitan planning organization*. The concurrency management system must be financially feasible and consistent with other portions of the adopted local plan, including the future land use map.

(b) If a local government has a transportation or school facility backlog for existing development which cannot be adequately addressed in a 10-year plan, the state land planning agency may allow it to develop a plan and long-term schedule of capital improvements covering up to 15 years for good and sufficient cause, based on a general comparison between *the* ~~that~~ local government and all other similarly situated local jurisdictions, using the following factors:

1. The extent of the backlog.

2. For roads, whether the backlog is on local or state roads.

3. The cost of eliminating the backlog.

4. The local government's tax and other revenue-raising efforts.

(c) The local government may issue approvals to commence construction notwithstanding this section, consistent with and in areas that are subject to a long-term concurrency management system.

(d) If the local government adopts a long-term concurrency management system, it must evaluate the system periodically. At a minimum, the local government must assess its progress toward improving levels of service within the long-term concurrency management district or area in the evaluation and appraisal report and determine any changes that are necessary to accelerate progress in meeting acceptable levels of service.

(e) The Department of Transportation shall develop a transportation methodology to determine the internal capture rate of a development of regional impact when fully developed. The transportation methodology must use a regional transportation model that incorporates professionally accepted modeling techniques applicable to such developments. The methodology review must be completed by March 1, 2009.

(10) *TRANSPORTATION LEVEL-OF-SERVICE STANDARDS.*—With regard to roadway facilities on the Strategic Intermodal System designated in accordance with *s.* ~~ss. 339.61, 339.62,~~ 339.63, ~~and 339.64,~~ the Florida Intrastate Highway System ~~as defined in s. 338.001~~, and roadway facilities funded in accordance with s. 339.2819, local governments shall adopt the level-of-service standard established by the Department of Transportation by rule. For all other roads on the State Highway System, local governments shall establish an adequate level-of-service standard that need not be consistent with any level-of-service standard established by the Department of Transportation. In establishing adequate level-of-service standards for any arterial roads, or collector roads as appropriate, which traverse multiple jurisdictions, local governments shall consider compatibility with the roadway facility's adopted level-of-service standards in adjacent jurisdictions. Each local government within a county shall use a professionally accepted methodology for measuring impacts on transportation facilities for the purposes of implementing its concurrency management system. Counties are encouraged to coordinate with adjacent counties, and local governments within a county are encouraged to coordinate, for the purpose of using common methodologies for measuring impacts on transportation facilities for the purpose of implementing their concurrency management systems.

(11) *LIMITATION OF LIABILITY.*—In order to limit the liability of local governments, a local government may allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy transportation concurrency, *if* ~~when~~ all the following factors ~~are shown to~~ exist:

(a) The local government *that has* ~~with~~ jurisdiction over the property has adopted a local comprehensive plan that is in compliance.

(b) The proposed development *is* ~~would be~~ consistent with the future land use designation for the specific property and with pertinent portions of the adopted local plan, as determined by the local government.

(c) The local plan includes a financially feasible capital improvements element that provides for transportation facilities adequate to serve the proposed development, and the local government has not implemented that element.

(d) The local government has provided a means *for assessing* ~~by which~~ the landowner *for* ~~will be assessed~~ a fair share of the cost of providing the transportation facilities necessary to serve the proposed development.

(e) The landowner has made a binding commitment to the local government to pay the fair share of the cost of providing the transportation facilities to serve the proposed development.

(12) *REGIONAL IMPACT PROPORTIONATE SHARE.*—

(a) A development of regional impact may satisfy the transportation concurrency requirements of the local comprehensive plan, the local government's concurrency management system, and s. 380.06 by payment of a proportionate-share contribution for local and regionally significant traffic impacts, if:

1.~~(a)~~ The development of regional impact which, based on its location or mix of land uses, is designed to encourage pedestrian or other nonautomotive modes of transportation;

2.~~(b)~~ The proportionate-share contribution for local and regionally significant traffic impacts is sufficient to pay for one or more required mobility improvements that will benefit *the network of* ~~a~~ regionally significant transportation *facilities. The state land planning agency may appeal the development order pursuant to s.380.07 if the development order directs transportation mobility improvements under this subsection to one or more local governments in a manner that is substantially disproportionate to the extrajurisdictional impacts of the development of regional impact on significantly affected local governments after taking into consideration the overall benefit to the regional transportation network* ~~facility~~;

3.~~(c)~~ The owner and developer of the development of regional impact pays or assures payment of the proportionate-share contribution; and

4.~~(d)~~ ~~If~~ The regionally significant transportation facility to be constructed or improved is under the maintenance authority of a governmental entity, as defined by s. *334.03* ~~334.03(12)~~, other than the local government *that has* ~~with~~ jurisdiction over the development of regional impact, the developer *must* ~~is required to~~ enter into a binding and legally enforceable commitment to transfer funds to the governmental entity

having maintenance authority or to otherwise assure construction or improvement of the facility.

(b) The proportionate-share contribution may be applied to any transportation facility to satisfy the provisions of this subsection and the local comprehensive plan. ~~, but,~~ For the purposes of this subsection, the amount of the proportionate-share contribution shall be calculated based upon the cumulative number of trips from the proposed development expected to reach roadways during the peak hour from the complete buildout of a stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain the adopted level of service, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted level of service. *The determination of mitigation for a subsequent phase or stage of development shall account for any mitigation required by the development order and provided by the developer for any earlier phase or stage, calculated at present value. For purposes of this subsection, the term:*

1. "Backlogged transportation facility" means a facility on which the adopted level-of-service standard is exceeded by the existing trips plus committed trips. A developer may not be required to fund or construct proportionate-share mitigation for any backlogged transportation facility which is more extensive than mitigation necessary to offset the impact of the development project in question.

2. ~~For purposes of this subsection,~~ "Construction cost" includes all associated costs of the improvement. *The proportionate-share contribution shall include the costs associated with accommodating a transit facility within the development of regional impact which is in a county's or the Department of Transportation's long-range plan and shall be credited against a development of regional impact's proportionate-share contribution.* Proportionate-share mitigation shall be limited to ensure that a development of regional impact meeting the requirements of this subsection mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs.

3. "Present value" means the fair market value of right-of-way at the time of contribution or the actual dollar value of the construction improvements contribution adjusted by the Consumer Price Index.

This subsection also applies to Florida Quality Developments pursuant to s. 380.061 and to detailed specific area plans implementing optional sector plans pursuant to s. 163.3245.

(13) *SCHOOL CONCURRENCY.*—School concurrency shall be established on a districtwide basis and ~~shall~~ include all public schools in the district and all portions of the district, whether located in a municipality or an unincorporated area unless exempt from the public school facilities element pursuant to s. 163.3177(12). The application of school concurrency to development shall be based upon the adopted comprehensive plan, as amended. All local governments within a county, except as provided in paragraph (f), shall adopt and transmit to the state land planning agency the necessary plan amendments, along with the interlocal agreement, for a compliance review pursuant to s. 163.3184(7) and (8). The minimum requirements for school concurrency are the following:

(a) Public school facilities element.—A local government shall adopt and transmit to the state land planning agency a plan or plan amendment which includes a public school facilities element which is consistent with the requirements of s. 163.3177(12) and which is determined to be in compliance as defined in s. 163.3184(1)(b). All local government public school facilities plan elements within a county must be consistent with each other as well as the requirements of this part.

(b) Level-of-service standards.—The Legislature recognizes that an essential requirement for a concurrency management system is the level of service at which a public facility is expected to operate.

1. Local governments and school boards imposing school concurrency shall exercise authority in conjunction with each other to establish jointly adequate level-of-service standards, as defined in chapter 9J-5, Florida Administrative Code, necessary to implement the adopted local government comprehensive plan, based on data and analysis.

2. Public school level-of-service standards shall be included and adopted into the capital improvements element of the local comprehensive plan and shall apply districtwide to all schools of the same type. Types of schools may include elementary, middle, and high schools as well as special purpose facilities such as magnet schools.

3. Local governments and school boards *may use* ~~shall have the option to utilize~~ tiered level-of-service standards to allow time to achieve an adequate and desirable level of service as circumstances warrant.

4. For purposes of determining whether levels of service have been achieved, a school district that includes relocatables in its inventory of student stations shall include the capacity of such relocatables as provided in s. 1013.35(2)(b)2.f.

(c) Service areas.—The Legislature recognizes that an essential requirement for a concurrency system is a designation of the area within which the level of service will be measured when an application for a residential development permit is reviewed for school concurrency purposes. This delineation is also important for ~~purposes of~~ determining whether the local government has a financially feasible public school capital facilities program *for* ~~that will provide~~ schools which will achieve and maintain the adopted level-of-service standards.

1. In order to balance competing interests, preserve the constitutional concept of uniformity, and avoid disruption of existing educational and growth management processes, local governments are encouraged to initially apply school concurrency to development only on a districtwide basis so that a concurrency determination for a specific development *is* ~~will be~~ based upon the availability of school capacity districtwide. To ensure that development is coordinated with schools having available capacity, within 5 years after adoption of school concurrency, local governments shall apply school concurrency on a less than districtwide basis, such as using school attendance zones or concurrency service areas, as provided in subparagraph 2.

2. For local governments applying school concurrency on a less than districtwide basis, such as utilizing school attendance zones or larger school concurrency service areas, local governments and school boards shall have the burden *of demonstrating* ~~to demonstrate~~ that the utilization of school capacity is maximized to the greatest extent possible in the comprehensive plan and amendment, taking into account transportation costs and court-approved desegregation plans, as well as other factors. In addition, in order to achieve concurrency within the service area boundaries selected by local governments and school boards, the service area boundaries, together with the standards for establishing those boundaries, shall be identified and included as supporting data and analysis for the comprehensive plan.

3. Where school capacity is available on a districtwide basis but school concurrency is applied on a less than districtwide basis in the form of concurrency service areas, if the adopted level-of-service standard cannot be met in a particular service area as applied to an application for a development permit and if the needed capacity for the particular service area is available in one or more contiguous service areas, as adopted by the local government, ~~then~~ the local government may not deny an application for site plan or final subdivision approval or the functional equivalent for a development or phase of a development on the basis of school concurrency, and if issued, development impacts shall be shifted to contiguous service areas with schools having available capacity.

(d) Financial feasibility.—The Legislature recognizes that financial feasibility is an important issue because the premise of concurrency is that ~~the~~ public facilities will be provided in order to achieve and maintain the adopted level-of-service standard. This part and chapter 9J-5, Florida Administrative Code, contain specific standards *for determining* ~~to determine~~ the financial feasibility of capital programs. These standards were adopted to make concurrency more predictable and local governments more accountable.

1. A comprehensive plan amendment seeking to impose school concurrency *must* ~~shall~~ contain appropriate amendments to the capital improvements element of the comprehensive plan, consistent with ~~the requirements of~~ s. 163.3177(3) and rule 9J-5.016, Florida Administrative Code. The capital improvements element *must* ~~shall~~ set forth a financially feasible public school capital facilities program, established in conjunction with the school board, that demonstrates that the adopted level-of-service standards will be achieved and maintained.

2. Such amendments *to the capital improvements element must* ~~shall~~ demonstrate that the public school capital facilities program meets all of the financial feasibility standards of this part and chapter 9J-5, Florida Administrative Code, that apply to capital programs which provide the basis for mandatory concurrency on other public facilities and services.

3. *If* ~~When~~ the financial feasibility of a public school capital facilities program is evaluated by the state land planning agency for purposes of a compliance determination, the evaluation *must* ~~shall~~ be based upon the service areas selected by the local governments and school board.

(e) Availability standard.—Consistent with the public welfare, *and except as otherwise provided in this subsection, public school facilities needed to serve new residential development shall be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval, or the functional equivalent.* A local government may not deny an application for site plan, final subdivision approval, or the functional equivalent for a development or phase of a development authorizing residential development for failure to achieve and maintain the level-of-service standard for public school capacity in a local school concurrency management system where adequate school facilities will be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval, or the functional equivalent. *Any mitigation required of a developer shall be limited to ensure that a development mitigates its own impact on public school facilities, but is not responsible for the additional cost of reducing or eliminating backlogs or addressing class size reduction.* School concurrency is satisfied if the developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by actual development of the property, including, but not limited to, the options described in subparagraph 1. Options for proportionate-share mitigation of impacts on public school facilities must be established in the public school facilities element and the interlocal agreement pursuant to s. 163.31777.

1. Appropriate mitigation options include the contribution of land; the construction, expansion, or payment for land acquisition or construction of a public school facility; *the construction of a charter school that complies with the requirements of s. 1002.33(18)(f);* or the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits. Such options must include execution by the applicant and the local government of a development agreement that constitutes a legally binding commitment to pay proportionate-share mitigation for the additional residential units approved by the local government in a development order and actually developed on the property, taking into account residential density allowed on the property prior to the plan amendment that increased the overall residential density. The district school board must be a party to such an agreement. As a condition of its entry into such a development agreement, the local government may require the landowner to agree to continuing renewal of the agreement upon its expiration.

2. If the education facilities plan and the public educational facilities element authorize a contribution of land; the construction, expansion, or payment for land acquisition; or the construction or expansion of a public school facility, or a portion thereof, *or the construction of a charter school that complies with the requirements of s. 1002.33(18)(f),* as proportionate-share mitigation, the local government shall credit such ~~a~~ contribution, construction, expansion, or payment toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis at fair market value. *For proportionate-share calculations, the percentage of relocatables, as provided in s. 1013.35(2)(b)2.f., which are used by a school district shall be considered in determining the average cost of a student station.*

4.~~3.~~ Any proportionate-share mitigation must be directed by the school board toward a school capacity improvement identified in a financially feasible 5-year district work plan that satisfies the demands created by the development in accordance with a binding developer's agreement.

5.~~4.~~ If a development is precluded from commencing because there is inadequate classroom capacity to mitigate the impacts of the development, the development may nevertheless commence if there are accelerated facilities in an approved capital improvement element scheduled for construction in year four or later of such plan which, when built, will mitigate the proposed development, or if such accelerated facilities will be in the next annual update of the capital facilities element, the developer enters into a binding, financially guaranteed agreement with the school district to construct an accelerated facility within the first 3 years of an approved capital improvement plan, and the cost of the school facility is equal to or greater than the development's proportionate share. When the completed school facility is conveyed to the school district, the developer shall receive impact fee credits usable within the zone where the facility is constructed or any attendance zone contiguous with or adjacent to the zone where the facility is constructed.

6.~~5.~~ This paragraph does not limit the authority of a local government to deny a development permit or its functional equivalent pursuant to its home rule regulatory powers, except as provided in this part.

(f) Intergovernmental coordination.—

1. When establishing concurrency requirements for public schools, a local government shall satisfy the requirements for intergovernmental coordination set forth in s. 163.3177(6)(h)1. and 2., except that a municipality is not required to be a signatory to the interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777(6), as a prerequisite for imposition of school concurrency, and as a nonsignatory, *may* ~~shall~~ not participate in the adopted local school concurrency system~~,~~ if the municipality meets all of the following criteria for *not* having *a* ~~no~~ significant impact on school attendance:

a. The municipality has issued development orders for fewer than 50 residential dwelling units during the preceding 5 years, or the municipality has generated fewer than 25 additional public school students during the preceding 5 years.

b. The municipality has not annexed new land during the preceding 5 years in land use categories which permit residential uses that will affect school attendance rates.

c. The municipality has no public schools located within its boundaries.

d. At least 80 percent of the developable land within the boundaries of the municipality has been built upon.

2. A municipality *that* ~~which~~ qualifies as *not* having *a* ~~no~~ significant impact on school attendance pursuant to ~~the criteria of~~ subparagraph 1. must review and determine at the time of its evaluation and appraisal report pursuant to s. 163.3191 whether it continues to meet the criteria pursuant to s. 163.31777(6). If the municipality determines that it no longer meets the criteria, it must adopt appropriate school concurrency goals, objectives, and policies in its plan amendments based on the evaluation and appraisal report, and enter into the existing interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777, in order to fully participate in the school concurrency system. If such a municipality fails to do so, it *is* ~~will be~~ subject to the enforcement provisions of s. 163.3191.

(g) Interlocal agreement for school concurrency.—When establishing concurrency requirements for public schools, a local government must enter into an interlocal agreement that satisfies the requirements in ss. 163.3177(6)(h)1. and 2. and 163.31777 and the requirements of this subsection. The interlocal agreement *must* ~~shall~~ acknowledge both the school board's constitutional and statutory obligations to provide a uniform system of free public schools on a countywide basis, and the land use authority of local governments, including their authority to approve or deny comprehensive plan amendments and development orders. The interlocal agreement shall be submitted to the state land planning agency by the local government as a part of the compliance review, along with the other necessary amendments to the comprehensive plan required by this part. In addition to the requirements of ss. 163.3177(6)(h) and 163.31777, the interlocal agreement *must* ~~shall~~ meet the following requirements:

1. Establish ~~the~~ mechanisms for coordinating the development, adoption, and amendment of each local government's public school facilities element with each other and the plans of the school board to ensure a uniform districtwide school concurrency system.

2. Establish a process for *developing* ~~the development of~~ siting criteria *that* ~~which~~ encourages the location of public schools proximate to urban residential areas to the extent possible and seeks to collocate

schools with other public facilities such as parks, libraries, and community centers to the extent possible.

3. Specify uniform, districtwide level-of-service standards for public schools of the same type and the process for modifying the adopted level-of-service standards.

4. Establish a process for the preparation, amendment, and joint approval by each local government and the school board of a public school capital facilities program *that* ~~which~~ is financially feasible, and a process and schedule for incorporation of the public school capital facilities program into the local government comprehensive plans on an annual basis.

5. Define the geographic application of school concurrency. If school concurrency is to be applied on a less than districtwide basis in the form of concurrency service areas, the agreement *must* ~~shall~~ establish criteria and standards for the establishment and modification of school concurrency service areas. The agreement *must* ~~shall~~ also establish a process and schedule for the mandatory incorporation of the school concurrency service areas and the criteria and standards for establishment of the service areas into the local government comprehensive plans. The agreement *must* ~~shall~~ ensure maximum utilization of school capacity, taking into account transportation costs and court-approved desegregation plans, as well as other factors. The agreement *must* ~~shall~~ also ensure the achievement and maintenance of the adopted level-of-service standards for the geographic area of application throughout the 5 years covered by the public school capital facilities plan and thereafter by adding a new fifth year during the annual update.

6. Establish a uniform districtwide procedure for implementing school concurrency which provides for:

a. The evaluation of development applications for compliance with school concurrency requirements, including information provided by the school board on affected schools, impact on levels of service, ~~and~~ programmed improvements for affected schools*,* and any options to provide sufficient capacity;

b. An opportunity for the school board to review and comment on the effect of comprehensive plan amendments and rezonings on the public school facilities plan; and

c. The monitoring and evaluation of the school concurrency system.

7. Include provisions relating to amendment of the agreement.

8. A process and uniform methodology for determining proportionate-share mitigation pursuant to subparagraph (e)1.

(h) Local government authority.—This subsection does not limit the authority of a local government to grant or deny a development permit or its functional equivalent prior to the implementation of school concurrency.

(14) *RULEMAKING AUTHORITY.*—The state land planning agency shall, by October 1, 1998, adopt by rule minimum criteria for the review and determination of compliance of a public school facilities element adopted by a local government for purposes of imposition of school concurrency.

(15) *MULTIMODAL DISTRICTS.*—

(a) Multimodal transportation districts may be established under a local government comprehensive plan in areas delineated on the future land use map for which the local comprehensive plan assigns secondary priority to vehicle mobility and primary priority to assuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit. Such districts must incorporate community design features that will reduce the number of automobile trips or vehicle miles of travel and will support an integrated, multimodal transportation system. Prior to the designation of multimodal transportation districts, the Department of Transportation shall be consulted by the local government to assess the impact that the proposed multimodal district area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities, as *designated in s. 339.63* ~~defined in s. 339.64~~, and roadway facilities funded in accordance with s. 339.2819. Further, the local government shall, in cooperation with the Department of Transportation, develop a plan to mitigate any impacts to the Strategic Intermodal System, including the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). ~~Multimodal transportation districts existing prior to July 1, 2005, shall meet, at a minimum, the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~

(b) Community design elements of ~~such~~ a *multimodal transportation* district include: a complementary mix and range of land uses, including educational, recreational, and cultural uses; interconnected networks of streets designed to encourage walking and bicycling, with traffic-calming where desirable; appropriate densities and intensities of use within walking distance of transit stops; daily activities within walking distance of residences, allowing independence to persons who do not drive; public uses, streets, and squares that are safe, comfortable, and attractive for the pedestrian, with adjoining buildings open to the street and with parking not interfering with pedestrian, transit, automobile, and truck travel modes.

(c) Local governments may establish multimodal level-of-service standards that rely primarily on nonvehicular modes of transportation within the district, *if* ~~when~~ justified by an analysis demonstrating that the existing and planned community design will provide an adequate level of mobility within the district based upon professionally accepted multimodal level-of-service methodologies. The analysis must also demonstrate that the capital improvements required to promote community design are financially feasible over the development or redevelopment timeframe for the district and that community design features within the district provide convenient interconnection for a multimodal transportation system. Local governments may issue development permits in reliance upon all planned community design capital improvements that are financially feasible over the development or redevelopment timeframe for the district, without regard to the period of time between development or redevelopment and the scheduled construction of the capital improvements. A determination of financial feasibility shall be based upon currently available funding or funding sources that could reasonably be expected to become available over the planning period.

(d) Local governments may reduce impact fees or local access fees for development within multimodal transportation districts based on the reduction of vehicle trips per household or vehicle miles of travel expected from the development pattern planned for the district.

(e) By December 1, 2007, the Department of Transportation, in consultation with the state land planning agency and interested local governments, may designate a study area for conducting a pilot project to determine the benefits of and barriers to establishing a regional multimodal transportation concurrency district that extends over more than one local government jurisdiction. If designated:

1. The study area must be in a county that has a population of at least 1,000 persons per square mile, be within an urban service area, and have the consent of the local governments within the study area. The Department of Transportation and the state land planning agency shall provide technical assistance.

2. The local governments within the study area and the Department of Transportation, in consultation with the state land planning agency, shall cooperatively create a multimodal transportation plan that meets the requirements of this section. The multimodal transportation plan must include viable local funding options and incorporate community design features, including a range of mixed land uses and densities and intensities, which will reduce the number of automobile trips or vehicle miles of travel while supporting an integrated, multimodal transportation system.

3. To effectuate the multimodal transportation concurrency district, participating local governments may adopt appropriate comprehensive plan amendments.

4. The Department of Transportation, in consultation with the state land planning agency, shall submit a report by March 1, 2009, to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of the pilot project. The report must identify any factors that support or limit the creation and success of a regional multimodal transportation district including intergovernmental coordination.

(f) The state land planning agency may designate up to five local governments as Urban Placemaking Initiative Pilot Projects. The purpose of the pilot project program is to assist local communities with redevelopment of primarily single-use suburban areas that surround strategic corridors and crossroads, and to create livable, sustainable communities that have a sense of place. Pilot communities must have a county population of at least 350,000, be able to demonstrate an ability to administer the pilot project, and have appropriate potential redevelopment areas suitable for the pilot project. Recognizing that both the form of existing development patterns and strict application of transportation concurrency requirements create obstacles to such redevelopment, the pilot project program shall further the ability of such communities to cultivate mixed-use and form-based communities that integrate all modes of transportation. The pilot project program shall provide an alternative regulatory framework that allows for the creation of a multimodal concurrency district that over the planning time period allows pilot project communities to incrementally realize the goals of the redevelopment area by guiding redevelopment of parcels and cultivating multimodal development in targeted transitional suburban areas. The Department of Transportation shall provide technical support to the state land planning agency and the department and the agency shall provide technical assistance to the local governments in the implementation of the pilot projects.

1. Each pilot project community shall adopt criteria for designation of specific urban placemaking redevelopment areas and general location maps in the future land use element of its comprehensive plan. Such redevelopment areas must be within an urban service area that meets the requirements of sub-subparagraph (5)(b)2.e. Each pilot project community shall also adopt comprehensive plan amendments that set forth criteria for the development of the urban placemaking areas and that contain land use and transportation strategies, including, but not limited to, the community design elements set forth in paragraph (b). A pilot project community shall undertake a process of public engagement to coordinate community vision, citizen interest, and development goals for developments within the urban placemaking redevelopment areas.

2. Each pilot project community may assign transportation concurrency or trip generation credits and impact fee exemptions or reductions and establish concurrency exceptions for developments that meet the adopted comprehensive plan criteria for urban placemaking redevelopment areas.

(16) *FAIR-SHARE MITIGATION.*—It is the intent of the Legislature to provide a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors. The methodology used to calculate proportionate fair-share mitigation under this section shall be as provided for in subsection (12).

(a) By December 1, 2006, each local government shall adopt by ordinance a methodology for assessing proportionate fair-share mitigation options. By December 1, 2005, the Department of Transportation shall develop a model transportation concurrency management ordinance *that has* ~~with~~ methodologies for assessing proportionate fair-share mitigation options.

(b)~~1.~~ In its transportation concurrency management system, a local government shall~~, by December 1, 2006,~~ include methodologies *to be applied in calculating* ~~that will be applied to calculate~~ proportionate fair-share mitigation.

1. A developer may choose to satisfy all transportation concurrency requirements by contributing or paying proportionate fair-share mitigation if transportation facilities or facility segments identified as mitigation for traffic impacts are specifically identified for funding in the 5-year schedule of capital improvements in the capital improvements element of the local plan or the long-term concurrency management system or if such contributions or payments to such facilities or segments are reflected in the 5-year schedule of capital improvements in the next regularly scheduled update of the capital improvements element. Updates to the 5-year capital improvements element which reflect proportionate fair-share contributions may not be found not in compliance based on ss. 163.3164(32) and 163.3177(3) if additional contributions, payments or funding sources are reasonably anticipated during a period not to exceed 10 years to fully mitigate impacts on the transportation facilities.

2. Proportionate fair-share mitigation shall be applied as a credit against impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by the local government's impact fee ordinance.

(c) Proportionate fair-share mitigation includes, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government. Proportionate fair-share mitigation may be directed toward one or more specific transportation improvements reasonably related to the mobility demands created by the development and such improvements may address one or more modes of travel. The fair market value of the proportionate fair-share mitigation *may* ~~shall~~ not differ based on the form of mitigation. A local government may not require a development to pay more than its proportionate fair-share contribution regardless of the method of mitigation. Proportionate fair-share mitigation shall be limited to ensure that a development meeting the requirements of this section mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs. *For purposes of this subsection, the term "backlogged transportation facility" means a facility on which the adopted level-of-service standard is exceeded by the existing trips plus committed trips. A developer may not be required to fund or construct proportionate-share mitigation for any backlogged transportation facility that is more extensive than mitigation necessary to offset the impact of the development project in question.*

(d) This subsection does not require a local government to approve a development that is not otherwise qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.

(e) Mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation.

(f) If the funds in an adopted 5-year capital improvements element are insufficient to fully fund construction of a transportation improvement required by the local government's concurrency management system, a local government and a developer may still enter into a binding proportionate-share agreement authorizing the developer to construct that amount of development on which the proportionate share is calculated if the proportionate-share amount in *the* ~~such~~ agreement is sufficient to pay for one or more improvements which will, in the opinion of the governmental entity or entities maintaining the transportation facilities, significantly benefit the impacted transportation system. The improvements funded by the proportionate-share component must be adopted into the 5-year capital improvements schedule of the comprehensive plan at the next annual capital improvements element update. The funding of any improvements that significantly benefit the impacted transportation system satisfies concurrency requirements as a mitigation of the development's impact upon the overall transportation system even if there remains a failure of concurrency on other impacted facilities.

(g) Except as provided in subparagraph (b)1., this section *does* ~~may~~ not prohibit the *state land planning agency* ~~Department of Community Affairs~~ from finding other portions of the capital improvements element amendments not in compliance as provided in this chapter.

(h) ~~The provisions of~~ This subsection *does* ~~do~~ not apply to a development of regional impact satisfying the requirements of subsection (12).

(i) The determination of mitigation for a subsequent phase or stage of development shall account for any mitigation required by the development order and provided by the developer for any earlier phase or stage, calculated at present value. For purposes of this subsection, the term "present value" means the fair market value of right-of-way at the time of contribution or the actual dollar value of the construction improvements contribution adjusted by the Consumer Price Index.

(17) TRANSPORTATION MOBILITY FEE.—The Legislature finds that the existing transportation concurrency system has not adequately addressed the state's transportation needs in an effective, predictable, and equitable manner and is not producing a sustainable transportation system for the state. The current system is complex, lacks uniformity among jurisdictions, is too focused on roadways to the detriment of desired land use patterns and transportation alternatives, and frequently prevents the attainment of important growth management goals. The state, therefore, should consider a different transportation concurrency

approach that uses a mobility fee based on vehicle and people miles traveled. Therefore, the Legislature directs the state land planning agency to study and develop a methodology for a mobility fee system as follows:

(a) The state land planning agency, in consultation with the Department of Transportation, shall convene a study group that includes representatives from the Department of Transportation, regional planning councils, local governments, the development community, land use and transportation professionals, and the Legislature to develop a uniform mobility fee methodology for statewide application to replace the existing transportation concurrency management system. The methodology shall be based on the amount, distribution, and timing of the vehicle and people miles traveled, professionally accepted standards and practices in the fields of land use and transportation planning, and the requirements of constitutional and statutory law. The mobility fee shall be designed to provide for mobility needs, ensure that development provides mitigation for its impacts on the transportation system, and promote compact, mixed-use, and energy-efficient development. The mobility fee shall be used to fund improvements to the transportation system.

(b) By February 15, 2009, the state land planning agency shall provide a report to the Legislature containing recommendations concerning an appropriate uniform mobility fee methodology and whether a mobility fee system should be applied statewide or to more limited geographic areas, a schedule to amend comprehensive plans and land development rules to incorporate the mobility fee, a system for collecting and allocating mobility fees among state and local transportation facilities, and whether and how mobility fees should replace, revise, or supplement transportation impact fees.

(18)~~(17)~~ A local government and the developer of affordable workforce housing units developed in accordance with s. 380.06(19) or s. 380.0651(3) may identify an employment center or centers in close proximity to the affordable workforce housing units. If at least 50 percent of the units are occupied by an employee or employees of an identified employment center or centers, all of the affordable workforce housing units are exempt from transportation concurrency requirements, and the local government may not reduce any transportation trip-generation entitlements of an approved development-of-regional-impact development order. As used in this subsection, the term "close proximity" means 5 miles from the nearest point of the development of regional impact to the nearest point of the employment center, and the term "employment center" means a place of employment that employs at least 25 or more full-time employees.

And the title is amended as follows:

Delete line(s) 2-92 and insert: An act relating to growth management; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; requiring the Department of Transportation to establish a transportation methodology to serve as the basis for sustainable development impact assessments; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; redefining the term "construction cost"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the

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

Amendment 1A (920224)—Delete line(s) 609-628 and insert:

1. May not increase the physical area of the existing rural agricultural industrial center by more than 50 percent or 320 acres, whichever is greater;

2. Must propose a project that would create, upon completion, at least 50 new full-time jobs;

3. Must demonstrate that infrastructure capacity exists or will be provided to support the expanded center at level-of-service standards adopted in the local government comprehensive plan; and

4. Must contain goals, objectives, and policies that will ensure that any adverse environmental impacts of the expanded center will be adequately addressed and mitigated, or demonstrate that the local government comprehensive plan contains such provisions.

Within 6 months of receipt of an application under this subsection, the local government must amend the applicable sections of its comprehensive plan to include goals, objectives, and policies to provide for the expansion of rural agricultural industrial centers and to discourage urban sprawl in the surrounding areas. Such goals, objectives, and policies shall promote and be consistent with the findings in this subsection. An amendment that meets the requirements of this subsection is

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

Amendment 1B (682114)—On line(s) 1500; and on line(s) 1520, delete "*requirements*" and insert: *life safety requirements*

MOTION

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

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

Amendment 1C (289954)—Delete line(s) 2041-2052 and insert: methodology to serve as the basis for determining internal capture rates for developments of regional impact; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; redefining the term "construction cost"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; providing for charter schools to be

Senators Haridopolos, Gaetz and Baker offered the following amendment to **Amendment 1** which was moved by Senator Gaetz and failed:

Amendment 1D (020158)(with title amendment)—Delete line(s) 179-194 and insert:

5. ~~In addition,~~ For rural

And the title is amended as follows:

Delete line(s) 1991-1993 and insert: in a local comprehensive plan; revising standards for

MOTION

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

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

Amendment 1E (335714)(with title amendment)—Delete line(s) 1244-1267 and insert:

(11) *LIMITATION OF LIABILITY.*— ~~In order to limit the liability of local governments,~~ A *county having a population greater than 850,000, and all municipalities within such county, shall* ~~local government may~~ allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy transportation concurrency, if ~~when~~ all the following factors ~~are shown to~~ exist:

(a) The local government that has ~~with~~ jurisdiction over the property has adopted a local comprehensive plan that is in compliance.

(b) The proposed development is ~~would be~~ consistent with the future land use designation for the specific property and with pertinent portions of the adopted local plan, as determined by the local government.

~~(c) The local plan includes a financially feasible capital improvements element that provides for transportation facilities adequate to serve the proposed development, and the local government has not implemented that element.~~

(c)~~(d)~~ The local government has provided a means by which the landowner will be assessed a fair share of the cost of providing the transportation facilities necessary to serve the proposed development.

(d)~~(e)~~ The landowner has made a binding commitment to the local government to pay the fair share of the cost of providing the transportation facilities to serve the proposed development.

And the title is amended as follows:

On line 2042, after the semicolon (;) insert: requiring certain local governments to allow a landowner to proceed with development that does not satisfy transportation concurrency if certain factors exist;

Amendment 1 as amended was adopted.

Senator Garcia moved the following amendment:

Amendment 2 (223482)(with title amendment)—Delete line(s) 1115-3943 and insert:

Section 7. Paragraph (d) of subsection (3) of section 163.31801, Florida Statutes, is amended to read:

163.31801 Impact fees; short title; intent; definitions; ordinances levying impact fees.—

(3) An impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum:

(d) Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or *increased* ~~amended~~ impact fee. *Notice is not required under this paragraph if an impact fee is decreased or eliminated.*

Section 8. Subsections (3) and (4), paragraphs (a) and (d) of subsection (6), paragraph (a) of subsection (7), paragraphs (b) and (c) of subsection (15), and subsections (17), (18), and (19) of section 163.3184, Florida Statutes, are amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(3) LOCAL GOVERNMENT TRANSMITTAL OF PROPOSED PLAN OR AMENDMENT.—

(a) Before filing an application for a future land use map amendment that applies to 50 acres or more, the applicant must conduct a neighborhood meeting to present, discuss, and solicit public comment on the proposed amendment. Such meeting shall be conducted at least 30 days but no more than 60 days before the application for the amendment is filed with the local government. At a minimum, the meeting shall be noticed and conducted in accordance with each of the following requirements:

1. Notice of the meeting shall be:

a. Mailed at least 10 days but no more than 14 days before the date of the meeting to all property owners owning property within 500 feet of the property subject to the proposed amendment, according to information maintained by the county tax assessor. Such information shall conclusively establish the required recipients;

b. Published in accordance with s. 125.66(4)(b)2. or s. 166.041(3)(c)2.b.;

c. Posted on the jurisdiction's website, if available; and

d. Mailed to all persons on the list of homeowners or condominium associations maintained by the jurisdiction, if any.

2. The meeting shall be conducted at an accessible and convenient location.

3. A sign-in list of all attendees at each meeting must be maintained.

An application for a future land use map amendment that is subject to this paragraph shall include a written certification or verification that the first meeting has been noticed and conducted in accordance with this section.

(b) At least 15 days but no more than 45 days before the local governing body's scheduled adoption hearing, the applicant for a future land use map amendment that applies to 50 acres or more shall conduct a second noticed community or neighborhood meeting for the purpose of presenting and discussing the map amendment application, including any changes made to the proposed amendment following the first community or neighborhood meeting. Notice by United States mail at least 10 days but no more than 14 days before the meeting is required only for persons who signed in at the preapplication meeting and persons whose names are on the sign-in sheet from the transmittal hearing conducted pursuant to paragraph (15)(c). Otherwise, notice shall be given by newspaper advertisement in accordance with ss. 125.66(4)(b)2. and 166.041(3)(c)2.b. Before the adoption hearing, the applicant shall file with the local government a written certification or verification that the second meeting has been noticed and conducted in accordance with this section.

(c) Before filing an application for a future land use map amendment that applies to more than 10 acres but less than 50 acres, the applicant

must conduct a community or neighborhood meeting in compliance with paragraph (a). An application for a future land use map amendment that is subject to this paragraph shall include a written certification or verification that the first meeting has been noticed and conducted in accordance with this section. At least 15 days but no more than 45 days before the local governing body's scheduled adoption hearing, the applicant for a future land use map amendment that applies to more than 10 but less than 50 acres is encouraged to hold a second meeting using the provisions in paragraph (b).

(d) The requirement for neighborhood meetings as provided in this section does not apply to small-scale amendments as defined in s. 163.3187(2)(d) unless a local government, by ordinance, adopts a procedure for holding a neighborhood meeting as part of the small-scale amendment process. In no event shall more than one such meeting be required.

(e)~~(a)~~ Each local governing body shall transmit the complete proposed comprehensive plan or plan amendment to the state land planning agency, the appropriate regional planning council and water management district, the Department of Environmental Protection, the Department of State, and the Department of Transportation, and, in the case of municipal plans, to the appropriate county, and, in the case of county plans, to the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services, immediately following a public hearing pursuant to subsection (15) as specified in the state land planning agency's procedural rules. The local governing body shall also transmit a copy of the complete proposed comprehensive plan or plan amendment to any other unit of local government or government agency in the state that has filed a written request with the governing body for the plan or plan amendment. The local government may request a review by the state land planning agency pursuant to subsection (6) at the time of the transmittal of an amendment.

(f)~~(b)~~ A local governing body shall not transmit portions of a plan or plan amendment unless it has previously provided to all state agencies designated by the state land planning agency a complete copy of its adopted comprehensive plan pursuant to subsection (7) and as specified in the agency's procedural rules. In the case of comprehensive plan amendments, the local governing body shall transmit to the state land planning agency, the appropriate regional planning council and water management district, the Department of Environmental Protection, the Department of State, and the Department of Transportation, and, in the case of municipal plans, to the appropriate county and, in the case of county plans, to the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services the materials specified in the state land planning agency's procedural rules and, in cases in which the plan amendment is a result of an evaluation and appraisal report adopted pursuant to s. 163.3191, a copy of the evaluation and appraisal report. Local governing bodies shall consolidate all proposed plan amendments into a single submission for each of the two plan amendment adoption dates during the calendar year pursuant to s. 163.3187.

(g)~~(c)~~ A local government may adopt a proposed plan amendment previously transmitted pursuant to this subsection, unless review is requested or otherwise initiated pursuant to subsection (6).

(h)~~(d)~~ In cases in which a local government transmits multiple individual amendments that can be clearly and legally separated and distinguished for the purpose of determining whether to review the proposed amendment, and the state land planning agency elects to review several or a portion of the amendments and the local government chooses to immediately adopt the remaining amendments not reviewed, the amendments immediately adopted and any reviewed amendments that the local government subsequently adopts together constitute one amendment cycle in accordance with s. 163.3187(1).

Paragraphs (a)-(d) apply to applications for a map amendment filed after January 1, 2009.

(4) INTERGOVERNMENTAL REVIEW.—The governmental agencies specified in paragraph (3)(a) shall provide comments to the state land planning agency within 30 days after receipt by the state land planning agency of the complete proposed plan amendment. If the plan or plan amendment includes or relates to the public school facilities element pursuant to s. 163.3177(12), the state land planning agency shall submit a copy to the Office of Educational Facilities of the Commissioner of Education for review and comment. The appropriate regional planning council shall also provide its written comments to the state land planning agency within *45* ~~30~~ days after receipt by the state land planning agency of the complete proposed plan amendment and shall specify any objections, recommendations for modifications, and comments of any other regional agencies to which the regional planning council may have referred the proposed plan amendment. Written comments submitted by the public within 30 days after notice of transmittal by the local government of the proposed plan amendment will be considered as if submitted by governmental agencies. All written agency and public comments must be made part of the file maintained under subsection (2).

(6) STATE LAND PLANNING AGENCY REVIEW.—

(a) The state land planning agency shall review a proposed plan amendment upon request of a regional planning council, affected person, or local government transmitting the plan amendment. The request from the regional planning council or affected person must be received within *45* ~~30~~ days after transmittal of the proposed plan amendment pursuant to subsection (3). A regional planning council or affected person requesting a review shall do so by submitting a written request to the agency with a notice of the request to the local government and any other person who has requested notice.

(d) The state land planning agency review shall identify all written communications with the agency regarding the proposed plan amendment. If the state land planning agency does not issue such a review, it shall identify in writing to the local government all written communications received *45* ~~30~~ days after transmittal. The written identification must include a list of all documents received or generated by the agency, which list must be of sufficient specificity to enable the documents to be identified and copies requested, if desired, and the name of the person to be contacted to request copies of any identified document. The list of documents must be made a part of the public records of the state land planning agency.

(7) LOCAL GOVERNMENT REVIEW OF COMMENTS; ADOPTION OF PLAN OR AMENDMENTS AND TRANSMITTAL.—

(a) The local government shall review the written comments submitted to it by the state land planning agency, and any other person, agency, or government. Any comments, recommendations, or objections and any reply to them *are* ~~shall be~~ public documents, a part of the permanent record in the matter, and admissible in any proceeding in which the comprehensive plan or plan amendment may be at issue. The local government, upon receipt of written comments from the state land planning agency, shall have 120 days to adopt*,* or adopt with changes*,* the proposed comprehensive plan or ~~s. 163.3191~~ plan amendments. ~~In the case of comprehensive plan amendments other than those proposed pursuant to s. 163.3191, the local government shall have 60 days to adopt the amendment, adopt the amendment with changes, or determine that it will not adopt the amendment.~~ The adoption of the proposed plan or plan amendment or the determination not to adopt a plan amendment~~, other than a plan amendment proposed pursuant to s. 163.3191,~~ shall be made in the course of a public hearing pursuant to subsection (15). *If a local government fails to adopt the comprehensive plan or plan amendment within the period set forth in this subsection, the plan or plan amendment shall be deemed abandoned and may not be considered until the next available amendment cycle pursuant to this section and s. 163.3187. However, if the applicant or local government, before the expiration of the period, certifies in writing to the state land planning agency that the applicant is proceeding in good faith to address the items raised in the agency report issued pursuant to paragraph (6)(f) or agency comments issued pursuant to s. 163.32465(4), and such certification specifically identifies the items being addressed, the state land planning agency may grant one or more extensions not to exceed a total of 360 days following the date of the issuance of the agency report or comments if the request is justified by good and sufficient cause as determined by the agency. When any such extension is pending, the applicant shall file with the local government and state land planning agency a status report every 60 days specifically identifying the items being addressed and the manner in which such items are being addressed.* The local government shall transmit the complete adopted comprehensive plan or plan amendment, including the names and addresses of persons compiled pursuant to paragraph (15)(c), to the state land planning agency as specified in the agency's procedural rules within 10 working days after adoption. The local governing body shall also transmit a copy of the adopted comprehensive plan or plan amendment to the regional planning agency and to

any other unit of local government or governmental agency in the state that has filed a written request with the governing body for a copy of the plan or plan amendment.

(15) PUBLIC HEARINGS.—

(b) The local governing body shall hold at least two advertised public hearings on the proposed comprehensive plan or plan amendment as follows:

1. The first public hearing shall be held at the transmittal stage pursuant to subsection (3). It shall be held on a weekday at least 7 days after the day that the first advertisement is published.

2. The second public hearing shall be held at the adoption stage pursuant to subsection (7). It shall be held on a weekday at least 5 days after the day that the second advertisement is published. *The comprehensive plan or plan amendment to be considered for adoption must be available to the public at least 5 days before the date of the hearing, and must be posted at least 5 days before the date of the hearing on the local government's website if one is maintained. The proposed comprehensive plan amendment may not be altered during the 5 days before the hearing if such alteration increases the permissible density, intensity, or height, or decreases the minimum buffers, setbacks, or open space. If the amendment is altered in this manner during the 5-day period or at the public hearing, the public hearing shall be continued to the next meeting of the local governing body. As part of the adoption package, the local government shall certify in writing to the state land planning agency that it has complied with this subsection.*

(c) The local government shall provide a sign-in form at the transmittal hearing and at the adoption hearing for persons to provide their names*,* ~~and~~ mailing *and electronic* addresses. The sign-in form must advise that any person providing the requested information will receive a courtesy informational statement concerning publications of the state land planning agency's notice of intent. The local government shall add to the sign-in form the name and address of any person who submits written comments concerning the proposed plan or plan amendment during the time period between the commencement of the transmittal hearing and the end of the adoption hearing. It is the responsibility of the person completing the form or providing written comments to accurately, completely, and legibly provide all information needed in order to receive the courtesy informational statement.

~~(17) COMMUNITY VISION AND URBAN BOUNDARY PLAN AMENDMENTS.—A local government that has adopted a community vision and urban service boundary under s. 163.3177(13) and (14) may adopt a plan amendment related to map amendments solely to property within an urban service boundary in the manner described in subsections (1), (2), (7), (14), (15), and (16) and s. 163.3187(1)(c)1.d. and e., 2., and 3., such that state and regional agency review is eliminated. The department may not issue an objections, recommendations, and comments report on proposed plan amendments or a notice of intent on adopted plan amendments; however, affected persons, as defined by paragraph (1)(a), may file a petition for administrative review pursuant to the requirements of s. 163.3187(3)(a) to challenge the compliance of an adopted plan amendment. This subsection does not apply to any amendment within an area of critical state concern, to any amendment that increases residential densities allowable in high-hazard coastal areas as defined in s. 163.3178(2)(h), or to a text change to the goals, policies, or objectives of the local government's comprehensive plan. Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(18) URBAN INFILL AND REDEVELOPMENT PLAN AMENDMENTS.—A municipality that has a designated urban infill and redevelopment area under s. 163.2517 may adopt a plan amendment related to map amendments solely to property within a designated urban infill and redevelopment area in the manner described in subsections (1), (2), (7), (14), (15), and (16) and s. 163.3187(1)(c)1.d. and e., 2., and 3., such that state and regional agency review is eliminated. The department may not issue an objections, recommendations, and comments report on proposed plan amendments or a notice of intent on adopted plan amendments; however, affected persons, as defined by paragraph (1)(a), may file a petition for administrative review pursuant to the requirements of s. 163.3187(3)(a) to challenge the compliance of an adopted plan amendment. This subsection does not apply to any amendment within an area of critical state concern, to any amendment that increases residential densities allowable in high-hazard coastal areas as defined in s. 163.3178(2)(h), or to a text change to the goals, policies, or objectives of the local government's comprehensive plan. Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

(17)~~(19)~~ HOUSING INCENTIVE STRATEGY PLAN AMENDMENTS.—Any local government that identifies in its comprehensive plan the types of housing developments and conditions for which it will consider plan amendments that are consistent with the local housing incentive strategies identified in s. 420.9076 and authorized by the local government may expedite consideration of such plan amendments. At least 30 days *before* ~~prior to~~ adopting a plan amendment pursuant to this subsection, the local government shall notify the state land planning agency of its intent to adopt such an amendment, and the notice shall include the local government's evaluation of site suitability and availability of facilities and services. A plan amendment considered under this subsection shall require only a single public hearing before the local governing body, which shall be a plan amendment adoption hearing as described in subsection (7). The public notice of the hearing required under subparagraph (15)(b)2. must include a statement that the local government intends to use the expedited adoption process authorized under this subsection. The state land planning agency shall issue its notice of intent required under subsection (8) within 30 days after determining that the amendment package is complete. Any further proceedings shall be governed by subsections (9)-(16).

Section 9. Section 163.3187, Florida Statutes, is amended to read:

163.3187 Amendment of adopted comprehensive plan.—

(1)*(a)1. Amendments to comprehensive plans applying to lands within an area designated in the plan as an urban service area under s. 163.3180(5)(b)2.e. may be transmitted and adopted not more than two times during any calendar year. Until such time as an urban service area has been adopted into the comprehensive plan and takes effect, a local government may transmit and adopt comprehensive plan amendments only once per calendar year. A local government that has adopted an urban service area before July 1, 2008, which meets the requirements of s. 163.3180(5)(b)2.e., shall secure a determination from the state land planning agency that the urban service area meets the requirements of s. 163.3180(5)(b)2.e. based on data and analysis submitted by the local government to support this determination. The determination by the state land planning agency is not subject to administrative challenge.*

2. Amendments to comprehensive plans *applying to lands outside an area designated in the plan as an urban service area under s. 163.3180(5)(b)2.e.* ~~adopted pursuant to this part~~ may be *transmitted and adopted* ~~made~~ not more than *once* ~~two times~~ during any calendar year.~~, except:~~

(b)~~(a)~~ *The following amendments may be adopted by a local government at any time during a calendar year without regard for the frequency restrictions set forth in this subsection:*

1. Any local government comprehensive plan ~~In the case of an emergency, comprehensive plan amendments may be made more often than twice during the calendar year if the additional plan~~ amendment *enacted in case of emergency which* receives the approval of all of the members of the governing body. "Emergency" means any occurrence or threat ~~thereof~~ whether accidental or natural, caused by humankind, in war or peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property or public funds.

2.~~(b)~~ Any local government comprehensive plan amendments directly related to a proposed development of regional impact, including changes which have been determined to be substantial deviations and including Florida Quality Developments pursuant to s. 380.061, may be initiated by a local planning agency and considered by the local governing body at the same time as the application for development approval using the procedures provided for local plan amendment in this section and applicable local ordinances~~, without regard to statutory or local ordinance limits on the frequency of consideration of amendments to the local comprehensive plan. Nothing in this subsection shall be deemed to require favorable consideration of a plan amendment solely because it is related to a development of regional impact~~.

3.~~(c)~~ ~~Any~~ Local government comprehensive plan amendments directly related to proposed small scale development activities ~~may be~~

~~approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan~~. A small scale development amendment may be adopted only under the following conditions:

a.~~1.~~ The proposed amendment involves a use of 10 acres or fewer and:

(I)~~a.~~ The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government shall not exceed:

(A)~~(I)~~ A maximum of 120 acres in a local government that contains areas specifically designated in the local comprehensive plan for urban infill, urban redevelopment, or downtown revitalization as defined in s. 163.3164, urban infill and redevelopment areas designated under s. 163.2517, transportation concurrency exception areas approved pursuant to s. 163.3180(5), or regional activity centers and urban central business districts approved pursuant to s. 380.06(2)(e); however, amendments under this *subparagraph* ~~paragraph~~ may be applied to no more than 60 acres annually of property outside the designated areas listed in this *sub-sub-sub-subparagraph* ~~sub-sub-subparagraph~~. ~~Amendments adopted pursuant to paragraph (k) shall not be counted toward the acreage limitations for small scale amendments under this paragraph.~~

(B)~~(II)~~ A maximum of 80 acres in a local government that does not contain any of the designated areas set forth in *sub-sub-sub-subparagraph (A)* ~~sub-sub-subparagraph (I)~~.

(C)~~(III)~~ A maximum of 120 acres in a county established pursuant to s. 9, Art. VIII of the State Constitution.

(II)~~b.~~ The proposed amendment does not involve the same property granted a change within the prior 12 months.

(III)~~c.~~ The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months.

(IV)~~d.~~ The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity.

(V)~~e.~~ The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1). Such amendment is not subject to the density limitations of *sub-sub-subparagraph VI* ~~sub-subparagraph f.~~, and shall be reviewed by the state land planning agency for consistency with the principles for guiding development applicable to the area of critical state concern where the amendment is located and *is* ~~shall~~ not ~~become~~ effective until a final order is issued under s. 380.05(6).

(VI)~~f.~~ If the proposed amendment involves a residential land use, the residential land use has a density of 10 units or less per acre or the proposed future land use category allows a maximum residential density of the same or less than the maximum residential density allowable under the existing future land use category, except that this limitation does not apply to small scale amendments involving the construction of affordable housing units meeting the criteria of s. 420.0004(3) on property which will be the subject of a land use restriction agreement, or small scale amendments described in *sub-sub-sub-subparagraph (I)(A) which* ~~sub-sub-subparagraph a.(I) that~~ are designated in the local comprehensive plan for urban infill, urban redevelopment, or downtown revitalization as defined in s. 163.3164, urban infill and redevelopment areas designated under s. 163.2517, transportation concurrency exception areas approved pursuant to s. 163.3180(5), or regional activity centers and urban central business districts approved pursuant to s. 380.06(2)(e).

b.(I)~~2.a.~~ A local government that proposes to consider a plan amendment pursuant to this *subparagraph* ~~paragraph~~ is not required to comply with the procedures and public notice requirements of s. 163.3184(15)(c) for such plan amendments if the local government complies with the provisions in s. 125.66(4)(a) for a county or in s. 166.041(3)(c) for a municipality. If a request for a plan amendment under this *subparagraph* ~~paragraph~~ is initiated by other than the local government, public notice is required.

(II)~~b.~~ The local government shall send copies of the notice and amendment to the state land planning agency, the regional planning council, and any other person or entity requesting a copy. This information shall also include a statement identifying any property subject to the amendment that is located within a coastal high-hazard area as identified in the local comprehensive plan.

c.~~3.~~ Small scale development amendments adopted pursuant to this *subparagraph* ~~paragraph~~ require only one public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(7), and are not subject to the requirements of s. 163.3184(3)-(6) unless the local government elects to have them subject to those requirements.

d.~~4.~~ If the small scale development amendment involves a site within an area that is designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) for the duration of such designation, the 10-acre limit listed in *sub-subparagraph a.* ~~subparagraph 1.~~ shall be increased by 100 percent to 20 acres. The local government approving the small scale plan amendment shall certify to the Office of Tourism, Trade, and Economic Development that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7), and the property subject to the plan amendment shall undergo public review to ensure that all concurrency requirements and federal, state, and local environmental permit requirements are met.

4.~~(d)~~ Any comprehensive plan amendment required by a compliance agreement pursuant to s. 163.3184(16) ~~may be approved without regard to statutory limits on the frequency of adoption of amendments to the comprehensive plan~~.

~~(e) A comprehensive plan amendment for location of a state correctional facility. Such an amendment may be made at any time and does not count toward the limitation on the frequency of plan amendments.~~

5.~~(f)~~ Any comprehensive plan amendment that changes the schedule in the capital improvements element, and any amendments directly related to the schedule, ~~may be made once in a calendar year on a date different from the two times provided in this subsection~~ when necessary to coincide with the adoption of the local government's budget and capital improvements program.

~~(g) Any local government comprehensive plan amendments directly related to proposed redevelopment of brownfield areas designated under s. 376.80 may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan.~~

6.~~(h)~~ Any comprehensive plan amendments for port transportation facilities and projects that are eligible for funding by the Florida Seaport Transportation and Economic Development Council pursuant to s. 311.07.

~~(i) A comprehensive plan amendment for the purpose of designating an urban infill and redevelopment area under s. 163.2517 may be approved without regard to the statutory limits on the frequency of amendments to the comprehensive plan.~~

7.~~(j)~~ Any comprehensive plan amendment to establish public school concurrency pursuant to s. 163.3180(13), including, but not limited to, adoption of a public school facilities element *pursuant to s. 163.3177(12)* and adoption of amendments to the capital improvements element and intergovernmental coordination element. In order to ensure the consistency of local government public school facilities elements within a county, such elements *must* ~~shall~~ be prepared and adopted on a similar time schedule.

~~(k) A local comprehensive plan amendment directly related to providing transportation improvements to enhance life safety on Controlled Access Major Arterial Highways identified in the Florida Intrastate Highway System, in counties as defined in s. 125.011, where such roadways have a high incidence of traffic accidents resulting in serious injury or death. Any such amendment shall not include any amendment modifying the designation on a comprehensive development plan land use~~

~~map nor any amendment modifying the allowable densities or intensities of any land.~~

~~(l) A comprehensive plan amendment to adopt a public educational facilities element pursuant to s. 163.3177(12) and future land use map amendments for school siting may be approved notwithstanding statutory limits on the frequency of adopting plan amendments.~~

~~(m) A comprehensive plan amendment that addresses criteria or compatibility of land uses adjacent to or in close proximity to military installations in a local government's future land use element does not count toward the limitation on the frequency of the plan amendments.~~

~~(n) Any local government comprehensive plan amendment establishing or implementing a rural land stewardship area pursuant to the provisions of s. 163.3177(11)(d).~~

~~(o) A comprehensive plan amendment that is submitted by an area designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) and that meets the economic development objectives may be approved without regard to the statutory limits on the frequency of adoption of amendments to the comprehensive plan.~~

~~(p) Any local government comprehensive plan amendment that is consistent with the local housing incentive strategies identified in s. 420.9076 and authorized by the local government.~~

8. Any local government comprehensive plan amendment adopted pursuant to a final order issued by the Administration Commission or the Florida Land and Water Adjudicatory Commission.

9. A future land use map amendment within an area designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) for the duration of such designation. Before the adoption of such an amendment, the local government shall obtain from the Office of Tourism, Trade, and Economic Development written certification that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7). The property subject to the plan amendment is subject to all concurrency requirements and federal, state, and local environmental permit requirements.

10. Any local government comprehensive plan amendment establishing or implementing a rural land stewardship area pursuant to the provisions of s. 163.3177(11)(d) or a sector plan pursuant to the provisions of s. 163.3245.

(2) Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to s. 163.3177(2). Corrections, updates, or modifications of current costs which were set out as part of the comprehensive plan shall not, for the purposes of this act, be deemed to be amendments.

(3)(a) The state land planning agency shall not review or issue a notice of intent for small scale development amendments which satisfy the requirements of *subparagraph (1)(b)3.* ~~paragraph (1)(c).~~ Any affected person may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57 to request a hearing to challenge the compliance of a small scale development amendment with this act within 30 days following the local government's adoption of the amendment, shall serve a copy of the petition on the local government, and shall furnish a copy to the state land planning agency. An administrative law judge shall hold a hearing in the affected jurisdiction not less than 30 days nor more than 60 days following the filing of a petition and the assignment of an administrative law judge. The parties to a hearing held pursuant to this subsection shall be the petitioner, the local government, and any intervenor. In the proceeding, the local government's determination that the small scale development amendment is in compliance is presumed to be correct. The local government's determination shall be sustained unless it is shown by a preponderance of the evidence that the amendment is not in compliance with the requirements of this act. In any proceeding initiated pursuant to this subsection, the state land planning agency may intervene.

(b)1. If the administrative law judge recommends that the small scale development amendment be found not in compliance, the administrative law judge shall submit the recommended order to the Administration Commission for final agency action. If the administrative law judge recommends that the small scale development amendment be found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.

2. If the state land planning agency determines that the plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.

(c) Small scale development amendments shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining *that* the adopted small scale development amendment is in compliance. *However, a small-scale amendment shall not become effective until it has been rendered to the state land planning agency as required by sub-sub-subparagraph (1)(b)5.b.(I) and the state land planning agency has certified to the local government in writing that the amendment qualifies as a small-scale amendment.*

(5)~~(4)~~ Each governing body shall transmit to the state land planning agency a current copy of its comprehensive plan not later than December 1, 1985. Each governing body shall also transmit copies of any amendments it adopts to its comprehensive plan so as to continually update the plans on file with the state land planning agency.

(6)~~(5)~~ Nothing in this part is intended to prohibit or limit the authority of local governments to require that a person requesting an amendment pay some or all of the cost of public notice.

(7)~~(6)~~(a) *A* ~~No~~ local government may *not* amend its comprehensive plan after the date established by the state land planning agency for adoption of its evaluation and appraisal report unless it has submitted its report or addendum to the state land planning agency as prescribed by s. 163.3191, except for plan amendments described in *subparagraph (1)(b)2.* ~~paragraph (1)(b)~~ or *subparagraph (1)(b)6.* ~~paragraph (1)(h).~~

(b) A local government may amend its comprehensive plan after it has submitted its adopted evaluation and appraisal report and for a period of 1 year after the initial determination of sufficiency regardless of whether the report has been determined to be insufficient.

(c) A local government may not amend its comprehensive plan, except for plan amendments described in *subparagraph (1)(b)2.* ~~paragraph (1)(b)~~, if the 1-year period after the initial sufficiency determination of the report has expired and the report has not been determined to be sufficient.

(d) When the state land planning agency has determined that the report has sufficiently addressed all pertinent provisions of s. 163.3191, the local government may amend its comprehensive plan without the limitations imposed by paragraph (a) or paragraph (c).

(e) Any plan amendment which a local government attempts to adopt in violation of paragraph (a) or paragraph (c) is invalid, but such invalidity may be overcome if the local government readopts the amendment and transmits the amendment to the state land planning agency pursuant to s. 163.3184(7) after the report is determined to be sufficient.

Section 10. Section 163.3245, Florida Statutes, is amended to read:

163.3245 Optional sector plans.—

(1) In recognition of the benefits of *large-scale* ~~conceptual long-range~~ planning ~~for the buildout of an area, and detailed planning~~ for specific areas, ~~as a demonstration project, the requirements of s. 380.06 may be addressed as identified by this section for up to five~~ local governments or combinations of local governments *may* ~~which~~ adopt into *their* ~~the~~ comprehensive *plans* ~~plan~~ an optional sector plan in accordance with this section. This section is intended to further the intent of s. 163.3177(11)~~,~~ which supports innovative and flexible planning and development strategies, ~~and~~ the purposes of this part~~,~~ and part I of chapter 380, and to avoid duplication of effort in terms of the level of data and analysis required for a development of regional impact~~,~~ while ensuring the adequate mitigation of impacts to applicable regional resources and facilities, including those within the jurisdiction of other local govern-

ments, as would otherwise be provided. Optional sector plans are intended for substantial geographic areas *that include* ~~including~~ at least *10,000 contiguous* ~~5,000~~ acres of one or more local governmental jurisdictions and ~~are~~ to emphasize urban form and protection of regionally significant resources and facilities. ~~The state land planning agency may approve optional sector plans of less than 5,000 acres based on local circumstances if it is determined that the plan would further the purposes of this part and part I of chapter 380. Preparation of an optional sector plan is authorized by agreement between the state land planning agency and the applicable local governments under s. 163.3171(4). An optional sector plan may be adopted through one or more comprehensive plan amendments under s. 163.3184. However, an optional sector plan may not be authorized in an area of critical state concern.~~

(2) ~~The state land planning agency may enter into an agreement to authorize preparation of an optional sector plan upon the request of one or more local governments based on consideration of problems and opportunities presented by existing development trends; the effectiveness of current comprehensive plan provisions; the potential to further the state comprehensive plan, applicable strategic regional policy plans, this part, and part I of chapter 380; and those factors identified by s. 163.3177(10)(i).~~ The applicable regional planning council shall conduct a scoping meeting with affected local governments and those agencies identified in s. 163.3184(4) before *the local government may consider the sector plan amendments for transmittal* ~~execution of the agreement authorized by this section~~. The purpose of this meeting is to assist the state land planning agency and the local government in *identifying* ~~the identification of~~ the relevant planning issues to be addressed and the data and resources available to assist in the preparation of *the* ~~subsequent~~ plan amendments. The regional planning council shall make written recommendations to the state land planning agency and affected local governments *relating to*~~, including whether a sustainable sector plan would be appropriate. The agreement must define~~ the geographic area to be subject to the sector plan, the planning issues that will be emphasized, requirements for intergovernmental coordination to address extrajurisdictional impacts, supporting application materials including data and analysis, and procedures for public participation. ~~An agreement may address previously adopted sector plans that are consistent with the standards in this section. Before executing an agreement under this subsection, the local government shall hold a duly noticed public workshop to review and explain to the public the optional sector planning process and the terms and conditions of the proposed agreement. The local government shall hold a duly noticed public hearing to execute the agreement.~~ All meetings between the *state land planning agency* ~~department~~ and the local government must be open to the public.

(3) Optional sector planning encompasses two levels: adoption under s. 163.3184 of a conceptual long-term *overlay plan as part of* ~~buildout overlay to~~ the comprehensive plan, ~~having no immediate effect on the issuance of development orders or the applicability of s. 380.06,~~ and ~~adoption under s. 163.3184 of~~ detailed specific area plans that implement the conceptual long-term *overlay plan* ~~buildout overlay~~ and authorize issuance of development orders, and within which s. 380.06 is waived. *Upon adoption of a conceptual long-term overlay plan, the underlying future land use designations may be used only if consistent with the plan and its implementing goals, objectives, and policies. The overlay plan may provide for all or a portion of the lands addressed by the overlay plan to be used primarily for bona fide agricultural purposes as appropriate interim uses until implementation of all or a portion of the overlay plan.* ~~Until such time as a detailed specific area plan is adopted, the underlying future land use designations apply.~~

(a) In addition to the other requirements of this chapter, a conceptual long-term *overlay plan adopted pursuant to s. 163.3184* ~~buildout overlay~~ must include *maps and text supported by data and analysis that address the following*:

1. A ~~long-range~~ conceptual *long-term overlay plan* ~~framework~~ map that*,* at a minimum*,* identifies *the maximum and minimum amounts, densities, intensities, and types of allowable development and generally depicts* ~~anticipated~~ areas of urban, agricultural, rural, and conservation land use.

2. *A general* identification of regionally significant public facilities ~~consistent with chapter 9J-2, Florida Administrative Code~~, irrespective of local governmental jurisdiction*,* necessary to support buildout of the anticipated future land uses*, and policies setting forth the procedures to be used to address and mitigate these impacts as part of the adoption of detailed specific area plans*.

3. *A general* identification of regionally significant natural resources *and policies ensuring the protection and conservation of these resources* ~~consistent with chapter 9J-2, Florida Administrative Code~~.

4. Principles and guidelines that address the urban form and interrelationships of anticipated future land uses*,* ~~and a discussion, at the applicant's option, of the extent, if any, to which the plan will address~~ restoring key ecosystems, achieving a more clean, healthy environment, limiting urban sprawl *within the sector plan and surrounding area, providing affordable and workforce housing, promoting energy-efficient land use patterns*, protecting wildlife and natural areas, advancing the efficient use of land and other resources, and creating quality communities and jobs.

5. Identification of general procedures to ensure intergovernmental coordination to address extrajurisdictional impacts from the ~~long-range~~ conceptual *long-range overlay plan* ~~framework map~~.

(b) In addition to the other requirements of this chapter, including those in paragraph (a), the detailed specific area plans must include:

1. An area of adequate size to accommodate a level of development which achieves a functional relationship between a ~~full~~ range of land uses within the area and *encompasses* ~~to encompass~~ at least 1,000 acres. ~~The state land planning agency may approve detailed specific area plans of less than 1,000 acres based on local circumstances if it is determined that the plan furthers the purposes of this part and part I of chapter 380.~~

2. Detailed identification and analysis of the *minimum and maximum amounts, densities, intensities,* distribution, extent, and location of future land uses.

3. Detailed identification of regionally significant public facilities, including public facilities outside the jurisdiction of the host local government, anticipated impacts of future land uses on those facilities, and required improvements consistent with *the policies accompanying the plan and, for transportation, with rule 9J-2.045* ~~chapter 9J-2~~, Florida Administrative Code.

4. Public facilities necessary for the short term, including developer contributions in a financially feasible 5-year capital improvement schedule of the affected local government.

5. Detailed analysis and identification of specific measures to assure the protection of regionally significant natural resources and other important resources both within and outside the host jurisdiction~~, including those regionally significant resources identified in chapter 9J-2, Florida Administrative Code~~.

6. Principles and guidelines that address the urban form and interrelationships of anticipated future land uses ~~and a discussion, at the applicant's option, of the extent, if any, to which the plan will address~~ restoring key ecosystems, achieving a more clean, healthy environment, limiting urban sprawl, *providing affordable and workforce housing, promoting energy-efficient land use patterns,* protecting wildlife and natural areas, advancing the efficient use of land and other resources, and creating quality communities and jobs.

7. Identification of specific procedures to ensure intergovernmental coordination *and which address* ~~to address~~ extrajurisdictional impacts of the detailed specific area plan.

(c) This subsection *does* ~~may~~ not ~~be construed to~~ prevent preparation and approval of the *conceptual long-term overlay* ~~optional sector~~ plan and detailed specific area plan concurrently or in the same submission.

~~(4) The host local government shall submit a monitoring report to the state land planning agency and applicable regional planning council on an annual basis after adoption of a detailed specific area plan. The annual monitoring report must provide summarized information on development orders issued, development that has occurred, public facility improvements made, and public facility improvements anticipated over the upcoming 5 years.~~

(4)~~(5)~~ *If* ~~When~~ a plan amendment adopting a detailed specific area plan has become effective under ss. 163.3184 and 163.3189(2), the provisions of s. 380.06 do not apply to development within the geographic area of the detailed specific area plan. However, any development-of-regional-impact development order that is vested from the detailed specific area plan may be enforced under s. 380.11.

(a) The local government adopting the detailed specific area plan is primarily responsible for monitoring and enforcing the detailed specific area plan. Local governments *may* ~~shall~~ not issue any permits or approvals or provide any extensions of services to development that are not consistent with the detailed sector area plan.

(b) If the state land planning agency has reason to believe that a violation of any detailed specific area plan, or of any agreement entered into under this section, has occurred or is about to occur, it may institute an administrative or judicial proceeding to prevent, abate, or control the conditions or activity creating the violation~~,~~ using the procedures in s. 380.11.

~~(c) In instituting an administrative or judicial proceeding involving an optional sector plan or detailed specific area plan, including a proceeding pursuant to paragraph (b), the complaining party shall comply with the requirements of s. 163.3215(4), (5), (6), and (7).~~

(5) Each local government that is identified as a demonstration project and that has entered into an agreement with the state land planning agency to authorize preparation of an optional sector plan prior to July 1, 2008, is entitled to continue processing the proposed optional sector plan, and the proposed optional sector plan shall be reviewed and may be challenged under the laws and rules in effect at the time of the transmittal of a proposed plan amendment application to the state land planning agency; however, the owner of the property may elect, by giving notice to the local government and the state land planning agency, to be governed under any laws and rules effective after July 1, 2008.

~~(6) Beginning December 1, 1999, and each year thereafter, the department shall provide a status report to the Legislative Committee on Intergovernmental Relations regarding each optional sector plan authorized under this section.~~

(6)~~(7)~~ This section *does* ~~may~~ not ~~be construed to~~ abrogate the rights of any person under this chapter.

Section 11. Section 163.3246, Florida Statutes, is amended to read:

163.3246 Local Government Comprehensive Planning Certification Program.—

(1) *The Legislature finds that* ~~There is created~~ the Local Government Comprehensive Planning Certification Program *has had a low level of interest from and participation by local governments. New approaches, such as the Alternative State Review Process Pilot Program, provide a more effective approach to expediting and streamlining comprehensive plan amendment review. Therefore, the Local Government Comprehensive Planning Certification Program is discontinued and no additional local governments may be certified. The municipalities of Freeport, Lakeland, Miramar, and Orlando may continue to adopt amendments in accordance with this section and their certification agreement or certification notice.* ~~to be administered by the Department of Community Affairs. The purpose of the program is to create a certification process for local governments who identify a geographic area for certification within which they commit to directing growth and who, because of a demonstrated record of effectively adopting, implementing, and enforcing its comprehensive plan, the level of technical planning experience exhibited by the local government, and a commitment to implement exemplary planning practices, require less state and regional oversight of the comprehensive plan amendment process. The purpose of the certification area is to designate areas that are contiguous, compact, and appropriate for urban growth and development within a 10-year planning timeframe. Municipalities and counties are encouraged to jointly establish the certification area, and subsequently enter into joint certification agreement with the department.~~

~~(2) In order to be eligible for certification under the program, the local government must:~~

~~(a) Demonstrate a record of effectively adopting, implementing, and enforcing its comprehensive plan;~~

~~(b) Demonstrate technical, financial, and administrative expertise to implement the provisions of this part without state oversight;~~

~~(c) Obtain comments from the state and regional review agencies regarding the appropriateness of the proposed certification;~~

~~(d) Hold at least one public hearing soliciting public input concerning the local government's proposal for certification; and~~

~~(e) Demonstrate that it has adopted programs in its local comprehensive plan and land development regulations which:~~

~~1. Promote infill development and redevelopment, including prioritized and timely permitting processes in which applications for local development permits within the certification area are acted upon expeditiously for proposed development that is consistent with the local comprehensive plan.~~

~~2. Promote the development of housing for low-income and very low-income households or specialized housing to assist elderly and disabled persons to remain at home or in independent living arrangements.~~

~~3. Achieve effective intergovernmental coordination and address the extrajurisdictional effects of development within the certified area.~~

~~4. Promote economic diversity and growth while encouraging the retention of rural character, where rural areas exist, and the protection and restoration of the environment.~~

~~5. Provide and maintain public urban and rural open space and recreational opportunities.~~

~~6. Manage transportation and land uses to support public transit and promote opportunities for pedestrian and nonmotorized transportation.~~

~~7. Use design principles to foster individual community identity, create a sense of place, and promote pedestrian-oriented safe neighborhoods and town centers.~~

~~8. Redevelop blighted areas.~~

~~9. Adopt a local mitigation strategy and have programs to improve disaster preparedness and the ability to protect lives and property, especially in coastal high-hazard areas.~~

~~10. Encourage clustered, mixed-use development that incorporates greenspace and residential development within walking distance of commercial development.~~

~~11. Encourage urban infill at appropriate densities and intensities and separate urban and rural uses and discourage urban sprawl while preserving public open space and planning for buffer-type land uses and rural development consistent with their respective character along and outside the certification area.~~

~~12. Assure protection of key natural areas and agricultural lands that are identified using state and local inventories of natural areas. Key natural areas include, but are not limited to:~~

~~a. Wildlife corridors.~~

~~b. Lands with high native biological diversity, important areas for threatened and endangered species, species of special concern, migratory bird habitat, and intact natural communities.~~

~~c. Significant surface waters and springs, aquatic preserves, wetlands, and outstanding Florida waters.~~

~~d. Water resources suitable for preservation of natural systems and for water resource development.~~

~~e. Representative and rare native Florida natural systems.~~

~~13. Ensure the cost-efficient provision of public infrastructure and services.~~

~~(3) Portions of local governments located within areas of critical state concern cannot be included in a certification area.~~

~~(4) A local government or group of local governments seeking certification of all or part of a jurisdiction or jurisdictions must submit an application to the department which demonstrates that the area sought to be certified meets the criteria of subsections (2) and (5). The application shall include copies of the applicable local government comprehensive plan, land development regulations, interlocal agreements, and~~

~~other relevant information supporting the eligibility criteria for designation. Upon receipt of a complete application, the department must provide the local government with an initial response to the application within 90 days after receipt of the application.~~

~~(5) If the local government meets the eligibility criteria of subsection (2), the department shall certify all or part of a local government by written agreement, which shall be considered final agency action subject to challenge under s. 120.569.~~

(2) The agreement *for the municipalities of Lakeland, Miramar, and Orlando* must include the following components:

(a) The basis for certification.

(b) The boundary of the certification area, which encompasses areas that are contiguous, compact, appropriate for urban growth and development, and in which public infrastructure *exists* ~~is existing~~ or *is* planned within a 10-year planning timeframe. The certification area *must* ~~is required to~~ include sufficient land to accommodate projected population growth, housing demand, including choice in housing types and affordability, job growth and employment, appropriate densities and intensities of use to be achieved in new development and redevelopment, existing or planned infrastructure, including transportation and central water and sewer facilities. The certification area must be adopted as part of the local government's comprehensive plan.

(c) A demonstration that the capital improvements plan governing the certified area is updated annually.

(d) A visioning plan or a schedule for the development of a visioning plan.

(e) A description of baseline conditions related to the evaluation criteria in paragraph (g) in the certified area.

(f) A work program setting forth specific planning strategies and projects that will be undertaken to achieve improvement in the baseline conditions as measured by the criteria identified in paragraph (g).

(g) Criteria to evaluate the effectiveness of the certification process in achieving the community-development goals for the certification area including:

1. Measuring the compactness of growth, expressed as the ratio between population growth and land consumed;

2. Increasing residential density and intensities of use;

3. Measuring and reducing vehicle miles traveled and increasing the interconnectedness of the street system, pedestrian access, and mass transit;

4. Measuring the balance between the location of jobs and housing;

5. Improving the housing mix within the certification area, including the provision of mixed-use neighborhoods, affordable housing, and the creation of an affordable housing program if ~~such~~ a program is not already in place;

6. Promoting mixed-use developments as an alternative to single-purpose centers;

7. Promoting clustered development having dedicated open space;

8. Linking commercial, educational, and recreational uses directly to residential growth;

9. Reducing per capita water and energy consumption;

10. Prioritizing environmental features to be protected and adopting measures or programs to protect identified features;

11. Reducing hurricane shelter deficits and evacuation times and implementing the adopted mitigation strategies; and

12. Improving coordination between the local government and school board.

(h) A commitment to change any land development regulations that restrict compact development and adopt alternative design codes that encourage desirable densities and intensities of use and patterns of compact development identified in the agreement.

(i) A plan for increasing public participation in comprehensive planning and land use decisionmaking which includes outreach to neighborhood and civic associations through community planning initiatives.

(j) A demonstration that the intergovernmental coordination element of the local government's comprehensive plan includes joint processes for coordination between the school board and local government pursuant to s. 163.3177(6)(h)2. and other requirements of law.

(k) A method of addressing the extrajurisdictional effects of development within the certified area, which is integrated by amendment into the intergovernmental coordination element of the local government comprehensive plan.

(l) A requirement for the annual reporting to the *state land planning agency* ~~department~~ of plan amendments adopted during the year, and the progress of the local government in meeting the terms and conditions of the certification agreement. Prior to the deadline for the annual report, the local government must hold a public hearing soliciting public input on the progress of the local government in satisfying the terms of the certification agreement.

(m) An expiration date that is *within* ~~no later than~~ 10 years after execution of the agreement.

~~(6) The department may enter up to eight new certification agreements each fiscal year. The department shall adopt procedural rules governing the application and review of local government requests for certification. Such procedural rules may establish a phased schedule for review of local government requests for certification.~~

(3) For the municipality of Freeport, the notice of certification shall include the following components:

(a) The boundary of the certification area.

(b) A report to the state land planning agency according to the schedule provided in the written notice. The monitoring report shall, at a minimum, include the number of amendments to the comprehensive plan adopted by the local government, the number of plan amendments challenged by an affected person, and the disposition of those challenges.

(4) Notwithstanding any other subsections, the municipality of Freeport shall remain certified for as long as it is designated as a rural area of critical economic concern.

(5) If the municipality of Freeport does not request that the state land planning agency review the developments of regional impact that are proposed within the certified area, an application for approval of a development order within the certified area shall be exempt from review under s. 380.06, subject to the following:

(a) Concurrent with filing an application for development approval with the local government, a developer proposing a project that would have been subject to review pursuant to s. 380.06 shall notify in writing the regional planning council that has jurisdiction.

(b) The regional planning council shall coordinate with the developer and the local government to ensure that all concurrency requirements as well as federal, state, and local environmental permit requirements are met.

(6)~~(7)~~ The *state land planning agency* ~~department~~ shall revoke the local government's certification if it determines that the local government is not substantially complying with the terms of the agreement.

(7)~~(8)~~ An affected person, as defined *in s. 163.3184(1)* ~~by s. 163.3184(1)(a)~~, may petition for *an* administrative hearing alleging that a local government is not substantially complying with the terms of the agreement, using the procedures and timeframes for notice and conditions precedent described in s. 163.3213. Such ~~a~~ petition must be filed within 30 days after the annual public hearing required by paragraph *(2)(l)* ~~(5)(l)~~.

(8)~~(9)~~(a) ~~Upon certification~~ All comprehensive plan amendments associated with the area certified must be adopted and reviewed in the

manner described in ss. 163.3184(1), (2), (7), (14), (15), and (16) and 163.3187, such that state and regional agency review is eliminated. The *state land planning agency* ~~department~~ may not issue any objections, recommendations, and comments report on proposed plan amendments or a notice of intent on adopted plan amendments; however, affected persons, as defined *in s. 163.3184(1)* ~~by s. 163.3184(1)(a)~~, may file a petition for administrative review pursuant to ~~the requirements of~~ s. 163.3187(3)(a) to challenge the compliance of an adopted plan amendment.

(b) Plan amendments that change the boundaries of the certification area; propose a rural land stewardship area pursuant to s. 163.3177(11)(d); propose an optional sector plan pursuant to s. 163.3245; propose a school facilities element; update a comprehensive plan based on an evaluation and appraisal report; impact lands outside the certification boundary; implement new statutory requirements that require specific comprehensive plan amendments; or increase hurricane evacuation times or the need for shelter capacity on lands within the coastal high-hazard area shall be reviewed pursuant to ss. 163.3184 and 163.3187.

~~(10) Notwithstanding subsections (2), (4), (5), (6), and (7), any municipality designated as a rural area of critical economic concern pursuant to s. 288.0656 which is located within a county eligible to levy the Small County Surtax under s. 212.055(3) shall be considered certified during the effectiveness of the designation of rural area of critical economic concern. The state land planning agency shall provide a written notice of certification to the local government of the certified area, which shall be considered final agency action subject to challenge under s. 120.569. The notice of certification shall include the following components:~~

~~(a) The boundary of the certification area.~~

~~(b) A requirement that the local government submit either an annual or biennial monitoring report to the state land planning agency according to the schedule provided in the written notice. The monitoring report shall, at a minimum, include the number of amendments to the comprehensive plan adopted by the local government, the number of plan amendments challenged by an affected person, and the disposition of those challenges.~~

~~(11) If the local government of an area described in subsection (10) does not request that the state land planning agency review the developments of regional impact that are proposed within the certified area, an application for approval of a development order within the certified area shall be exempt from review under s. 380.06, subject to the following:~~

~~(a) Concurrent with filing an application for development approval with the local government, a developer proposing a project that would have been subject to review pursuant to s. 380.06 shall notify in writing the regional planning council with jurisdiction.~~

~~(b) The regional planning council shall coordinate with the developer and the local government to ensure that all concurrency requirements as well as federal, state, and local environmental permit requirements are met.~~

(9)~~(12)~~ A local government's certification shall be reviewed by the local government and the *state land planning agency* ~~department~~ as part of the evaluation and appraisal process pursuant to s. 163.3191. Within 1 year after the deadline for the local government to update its comprehensive plan based on the evaluation and appraisal report, the *state land planning agency* ~~department~~ shall renew or revoke the certification. The local government's failure to adopt a timely evaluation and appraisal report, ~~failure to~~ adopt an evaluation and appraisal report found to be sufficient, or ~~failure~~ to timely adopt amendments based on an evaluation and appraisal report found to be in compliance by the *state land planning agency* ~~department~~ shall be cause for revoking the certification agreement. The *state land planning agency's* ~~department's~~ decision to renew or revoke *is* ~~shall be~~ considered agency action subject to challenge under s. 120.569.

~~(13) The department shall, by July 1 of each odd-numbered year, submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report listing certified local governments, evaluating the effectiveness of the certification, and including any recommendations for legislative actions.~~

~~(14) The Office of Program Policy Analysis and Government Accountability shall prepare a report evaluating the certification program, which shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2007.~~

Section 12. Paragraphs (a) and (b) of subsection (1), subsections (2) and (3), paragraph (b) of subsection (4), paragraph (a) of subsection (5), paragraph (g) of subsection (6), and subsections (7) and (8) of section 163.32465, Florida Statutes, are amended to read:

163.32465 State review of local comprehensive plans in urban areas.—

(1) LEGISLATIVE FINDINGS.—

(a) The Legislature finds that local governments in this state have a wide diversity of resources, conditions, abilities, and needs. The Legislature also finds that the needs and resources of urban areas are different from those of rural areas and that different planning and growth management approaches, strategies, and techniques are required in urban areas. The state role in overseeing growth management should reflect this diversity and should vary based on local government conditions, capabilities, needs, and *the* extent *and type* of development. *Therefore* ~~Thus~~, the Legislature recognizes ~~and finds~~ that reduced state oversight of local comprehensive planning is justified for some local governments in urban areas *and for certain types of development*.

(b) The Legislature finds and declares that *the* ~~this~~ state's urban areas require a reduced level of state oversight because of their high degree of urbanization and the planning capabilities and resources of many of their local governments. An alternative state review process that is adequate to protect issues of regional or statewide importance should be created for appropriate local governments in these areas *and for certain types of development*. Further, the Legislature finds that development, including urban infill and redevelopment, should be encouraged in these urban areas. The Legislature finds that an alternative process for amending local comprehensive plans in these areas should be established with an objective of streamlining the process and recognizing local responsibility and accountability.

(2) ALTERNATIVE STATE REVIEW PROCESS PILOT PROGRAM.—Pinellas and Broward Counties, and the municipalities within these counties, and Jacksonville, Miami, Tampa, and Hialeah shall follow *the* ~~an~~ alternative state review process provided in this section. Municipalities within the pilot counties may elect, by super majority vote of the governing body, not to participate in the pilot program. *The alternative state review process shall also apply to:*

(a) Future land use map amendments and associated special area policies within areas designated in a comprehensive plan for downtown revitalization pursuant to s. 163.3164(25), urban redevelopment pursuant to s. 163.3164(26), urban infill development pursuant to s. 163.3164(27), urban infill and redevelopment pursuant to s. 163.2517, a multimodal transportation district pursuant to s. 163.3180(15), or an urban service area pursuant to s. 163.3180(5)(b)2.e.;

(b) Future land use map amendments for a proposed development in which at least 15 percent of the residential units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size or, if located in a county in which the median purchase price for an existing single-family home exceeds the statewide median purchase price for such home, does not exceed 140 percent of the area median income adjusted for family size. Each such residential unit shall be subject to a rental, deed, or other restriction to ensure that it meets the income limits provided in this paragraph for at least 30 years; and

(c) Future land use map amendments within an area designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) for the duration of such designation. Before the adoption of such an amendment, the local government must obtain written certification from the Office of Tourism, Trade, and Economic Development that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7).

(3) PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS UNDER THE PILOT PROGRAM.—

(a) Plan amendments adopted by the pilot program jurisdictions shall follow the alternate, expedited process in subsections (4) and (5), except as set forth in paragraphs *(b)-(f)* ~~(b)-(e) of this subsection~~.

(b) Amendments that qualify as small-scale development amendments may continue to be adopted by the pilot program jurisdictions pursuant to s. *163.3187(1)(d)* ~~163.3187(1)(c)~~ and (3).

(c) Plan amendments that propose a rural land stewardship area pursuant to s. 163.3177(11)(d); propose an optional sector plan; update a comprehensive plan based on an evaluation and appraisal report; implement ~~new~~ statutory requirements *not previously incorporated into a comprehensive plan*; or new plans for newly incorporated municipalities are subject to state review as set forth in s. 163.3184.

(d) Pilot program jurisdictions *are* ~~shall be~~ subject to the frequency and timing requirements for plan amendments set forth in ss. 163.3187 and 163.3191, except *as* ~~where~~ otherwise stated in this section.

(e) The mediation and expedited hearing provisions in s. 163.3189(3) apply to all plan amendments adopted by the pilot program jurisdictions.

(f) All amendments adopted under this section must comply with ss. 163.3184(3)(a) and 163.3184(15)(b)2.

(4) INITIAL HEARING ON COMPREHENSIVE PLAN AMENDMENT FOR PILOT PROGRAM.—

(b) The agencies and local governments specified in paragraph (a) may provide comments regarding the amendment or amendments to the local government. The regional planning council review and comment shall be limited to effects on regional resources or facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of the affected local government. A regional planning council *may* ~~shall~~ not review and comment on a proposed comprehensive plan amendment prepared by such council unless the plan amendment has been changed by the local government subsequent to the preparation of the plan amendment by the regional planning council. County comments on municipal comprehensive plan amendments shall be primarily in the context of the relationship and effect of the proposed plan amendments on the county plan. Municipal comments on county plan amendments shall be primarily in the context of the relationship and effect of the amendments on the municipal plan. State agency comments may include technical guidance on issues of agency jurisdiction as it relates to the requirements of this part. Such comments *must* ~~shall~~ clearly identify issues that, if not resolved, may result in an agency challenge to the plan amendment. For the purposes of this pilot program, agencies are encouraged to focus potential challenges on issues of regional or statewide importance. Agencies and local governments must transmit their comments to the affected local government*, if issued, within 30 days after* ~~such that they are received by the local government not later than thirty days from~~ the date ~~on which~~ the *state land planning agency notifies the affected local government that the plan amendment package is complete* ~~agency or government received the amendment or amendments~~. *Any comments from the agencies and local governments must also be transmitted to the state land planning agency.*

(5) ADOPTION OF COMPREHENSIVE PLAN AMENDMENT FOR PILOT AREAS.—

(a) The local government shall hold its second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, on a weekday at least 5 days after the day the second advertisement is published pursuant to ~~the requirements of~~ chapter 125 or chapter 166. Adoption of comprehensive plan amendments must be by ordinance ~~and requires an affirmative vote of a majority of the members of the governing body present at the second hearing~~. *The hearing must be conducted and the amendment adopted within 120 days after receipt of the agency comments pursuant to s. 163.3246(4)(b). If a local government fails to adopt the plan amendment within the timeframe set forth in this subsection, the plan amendment is deemed abandoned and the plan amendment may not be considered until the next available amendment cycle pursuant to s. 163.3187.*

(6) ADMINISTRATIVE CHALLENGES TO PLAN AMENDMENTS FOR PILOT PROGRAM.—

(g) An amendment adopted under the expedited provisions of this section shall not become effective until *completion of the time period available to the state land planning agency for administrative challenge under paragraph (a)* ~~31 days after adoption~~. If timely challenged, an amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining *that* the adopted amendment *is* ~~to be~~ in compliance.

(7) APPLICABILITY OF PILOT PROGRAM IN CERTAIN LOCAL GOVERNMENTS.—Local governments and specific areas that *are* ~~have been~~ designated for alternate review process pursuant to ss. 163.3246 and 163.3184(17) ~~and (18)~~ are not subject to this section.

(8) RULEMAKING AUTHORITY FOR PILOT PROGRAM.—*The state land planning agency may adopt procedural* ~~Agencies shall not promulgate~~ rules to *administer* ~~implement~~ this *section* ~~pilot program~~.

Section 13. Subsection (8) of section 163.340, Florida Statutes, is amended to read:

163.340 Definitions.—The following terms, wherever used or referred to in this part, have the following meanings:

(8) "Blighted area" means an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

(a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;

(b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(d) Unsanitary or unsafe conditions;

(e) Deterioration of site or other improvements;

(f) Inadequate and outdated building density patterns;

(g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;

(h) Tax or special assessment delinquency exceeding the fair value of the land;

(i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;

(j) Incidence of crime in the area higher than in the remainder of the county or municipality;

(k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;

(l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;

(m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

However, the term "blighted area" also means any area in which at least one of the factors identified in paragraphs (a) through (n) are present and all taxing authorities subject to s. 163.387(2)(a) agree, either by interlocal agreement or agreements with the agency or by resolution, that the area is blighted*, or that the area was previously used as a military facility, is undeveloped, and consists of land that the Federal Government declared surplus within the preceding 20 years, not including any such area that is currently being used by the military in an active-duty, reserve, or National Guard capacity*. Such agreement or resolution

shall only determine that the area is blighted. For purposes of qualifying for the tax credits authorized in chapter 220, "blighted area" means an area as defined in this subsection.

Section 14. Section 166.0451, Florida Statutes, is renumbered as section 163.32432, Florida Statutes, and amended to read:

163.32432 ~~166.0451~~ Disposition of municipal property for affordable housing.—

(1) By July 1, 2007, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each ~~such~~ property and specify whether the property is vacant or improved. The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such property.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be offered for sale and the proceeds may be used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the municipality may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

(3) As a precondition to receiving any state affordable housing funding or allocation for any project or program within the municipality's jurisdiction, a municipality must, by July 1 of each year, provide certification that the inventory and any update required by this section is complete.

Section 15. Subsection (5) and paragraph (d) of subsection (12) of section 288.975, Florida Statutes, are amended to read:

288.975 Military base reuse plans.—

(5) At the discretion of the host local government, the provisions of this act may be complied with through the adoption of the military base reuse plan as a separate component of the local government comprehensive plan or through simultaneous amendments to all pertinent portions of the local government comprehensive plan. Once adopted and approved in accordance with this section, the military base reuse plan shall be considered to be part of the host local government's comprehensive plan and shall be thereafter implemented, amended, and reviewed in accordance with ~~the provisions of~~ part II of chapter 163. ~~Local government comprehensive plan amendments necessary to initially adopt the military base reuse plan shall be exempt from the limitation on the frequency of plan amendments contained in s. 163.3187(2).~~

(12) Following receipt of a petition, the petitioning party or parties and the host local government shall seek resolution of the issues in dispute. The issues in dispute shall be resolved as follows:

(d) Within 45 days after receiving the report from the state land planning agency, the Administration Commission shall take action to resolve the issues in dispute. In deciding upon a proper resolution, the Administration Commission shall consider the nature of the issues in dispute, any requests for a formal administrative hearing pursuant to chapter 120, the compliance of the parties with this section, the extent of the conflict between the parties, the comparative hardships and the public interest involved. If the Administration Commission incorporates in its final order a term or condition that requires any local government to amend its local government comprehensive plan, the local government shall amend its plan within 60 days after the issuance of the order. ~~Such amendment or amendments shall be exempt from the limitation of the frequency of plan amendments contained in s. 163.3187(2), and~~ A public hearing on such amendment or amendments pursuant to s. 163.3184(15)(b)1. *is* ~~shall~~ not ~~be~~ required. The final order of the Administration Commission is subject to appeal pursuant to s. 120.68. If the order of the Administration Commission is appealed, the time for the local government to amend its plan *is* ~~shall be~~ tolled during the pendency of any local, state, or federal administrative or judicial proceeding relating to the military base reuse plan.

Section 16. Subsection (5) is added to section 342.201, Florida Statutes, to read:

342.201 Waterfronts Florida Program.—

(5) The Department of Community Affairs may adopt rules necessary to implement the provisions of this section.

Section 17. Subsection (7), paragraph (c) of subsection (19), and paragraph (l) of subsection (24) of section 380.06, Florida Statutes, are amended, and present paragraph (u) is redesignated as paragraph (v) and a new paragraphs (u) is added to subsection (24) of that section, to read:

380.06 Developments of regional impact.—

(7) PREAPPLICATION PROCEDURES.—

(a) Before filing an application for development approval, the developer shall contact the regional planning agency with jurisdiction over the proposed development to arrange a preapplication conference. Upon the request of the developer or the regional planning agency, other affected state and regional agencies shall participate in this conference and shall identify the types of permits issued by the agencies, the level of information required, and the permit issuance procedures as applied to the proposed development. *The levels of service required in the transportation methodology shall be the same levels of service used to evaluate concurrency in accordance with s. 163.3180.* The regional planning agency shall provide the developer information about the development-of-regional-impact process and the use of preapplication conferences to identify issues, coordinate appropriate state and local agency requirements, and otherwise promote a proper and efficient review of the proposed development. If agreement is reached regarding assumptions and methodology to be used in the application for development approval, the reviewing agencies may not subsequently object to those assumptions and methodologies unless subsequent changes to the project or information obtained during the review make those assumptions and methodologies inappropriate.

(19) SUBSTANTIAL DEVIATIONS.—

(c) An extension of the date of buildout of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation. For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time. In recognition of the 2007 real estate market conditions, all *development order* phase, buildout, *commencement,* and expiration dates *and all related local government approvals* for projects that are developments of regional impact *or Florida Quality Developments* and under active construction on July 1, 2007, *or for which a development order was adopted between January 1, 2006, and July 1, 2007, regardless of whether or not active construction has commenced,* are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. *This extension also applies to all associated local government approvals, including, but not limited to, agreements, certificates, and permits related to the project.*

(24) STATUTORY EXEMPTIONS.—

(l) Any proposed development *or redevelopment within an area designated in the comprehensive plan as an urban redevelopment area, a downtown revitalization area, an urban infill area, or an urban infill and redevelopment area under s 163.2517 is exempt from this section.* ~~within an urban service boundary established under s. 163.3177(14) is exempt from the provisions of this section if the local government having jurisdiction over the area where the development is proposed has adopted the urban service boundary, has entered into a binding agreement with jurisdictions that would be impacted and with the Department of Transportation regarding the mitigation of impacts on state and regional transportation facilities, and has adopted a proportionate share methodology pursuant to s. 163.3180(16).~~

(u) Any development within a county having a population greater than 1.25 million which is proposed for at least two uses, one of which is for use as an office or laboratory appropriate for the research and development of medical technology, biotechnology, or life science applications, is exempt from this section if:

1. The land is located in a designated urban infill area or within 5 miles of a state-supported biotechnical research facility or if a local government having jurisdiction recognizes, by resolution, that the land is located in a compact, high-intensity, and high-density multiuse area that is appropriate for intensive growth.

2. The land is located within three-fourths of 1 mile from one or more bus or light rail transit stops.

3. The development is registered with the United States Green Building Council and there is an intent to apply for certification of each building under the Leadership in Energy and Environmental Design rating program, or the development is registered by an alternate green building rating system that a local government having jurisdiction finds appropriate, by resolution.

(v)~~(u)~~ Any development within a county with a research and education authority created by special act and that is also within a research and development park that is operated or managed by a research and development authority pursuant to part V of chapter 159 is exempt from this section.

If a use is exempt from review as a development of regional impact under paragraphs *(a)-(u)* ~~(a)-(t)~~, but will be part of a larger project that is subject to review as a development of regional impact, the impact of the exempt use must be included in the review of the larger project.

Section 18. Paragraph (f) of subsection (3) of section 380.0651, Florida Statutes, is amended to read:

380.0651 Statewide guidelines and standards.—

(3) The following statewide guidelines and standards shall be applied in the manner described in s. 380.06(2) to determine whether the following developments shall be required to undergo development-of-regional-impact review:

(f) Hotel or motel development.—

1. Any proposed hotel or motel development that is planned to create or accommodate 350 or more units; ~~or~~

2. Any proposed hotel or motel development that is planned to create or accommodate 750 or more units, in a county with a population greater than 500,000 *but not exceeding 1.5 million; or*

3. Any proposed hotel or motel development that is planned to create or accommodate 750 or more units, in a county that has a population greater than 1.5 million, and only in a geographic area specifically designated as highly suitable for increased threshold intensity in the approved local comprehensive plan and in the strategic regional policy plan.

Section 19. Paragraph (c) of subsection (18) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

(c) Any facility, or portion thereof, used to house a charter school whose charter has been approved by the sponsor and the governing board, pursuant to subsection (7), *is* ~~shall be~~ exempt from ad valorem taxes pursuant to s. 196.1983. Library, community service, museum, performing arts, theatre, cinema, church, community college, college, and university facilities may provide space to charter schools within their facilities *if such use is consistent with the local comprehensive plan and applicable land development regulations* ~~under their preexisting zoning and land use designations~~. *No expansion of the facilities shall be allowed to accommodate a charter school unless the expansion would be in compliance with the local comprehensive plan and applicable land development regulations.*

Section 20. Paragraph (b) of subsection (2) of section 163.3217, Florida Statutes, is amended to read:

163.3217 Municipal overlay for municipal incorporation.—

(2) PREPARATION, ADOPTION, AND AMENDMENT OF THE MUNICIPAL OVERLAY.—

(b)~~1.~~ A municipal overlay shall be adopted as an amendment to the local government comprehensive plan as prescribed by s. 163.3184.

~~2. A county may consider the adoption of a municipal overlay without regard to the provisions of s. 163.3187(1) regarding the frequency of adoption of amendments to the local comprehensive plan.~~

Section 21. Subsection (4) of section 163.3182, Florida Statutes, is amended to read:

163.3182 Transportation concurrency backlogs.—

(4) TRANSPORTATION CONCURRENCY BACKLOG PLANS.—

~~(a)~~ Each transportation concurrency backlog authority shall adopt a transportation concurrency backlog plan as a part of the local government comprehensive plan within 6 months after the creation of the authority. The plan shall:

(a)~~1.~~ Identify all transportation facilities that have been designated as deficient and require the expenditure of moneys to upgrade, modify, or mitigate the deficiency.

(b)~~2.~~ Include a priority listing of all transportation facilities that have been designated as deficient and do not satisfy concurrency requirements pursuant to s. 163.3180, and the applicable local government comprehensive plan.

(c)~~3.~~ Establish a schedule for financing and construction of transportation concurrency backlog projects that will eliminate transportation concurrency backlogs within the jurisdiction of the authority within 10 years after the transportation concurrency backlog plan adoption. The schedule shall be adopted as part of the local government comprehensive plan.

~~(b) The adoption of the transportation concurrency backlog plan shall be exempt from the provisions of s. 163.3187(1).~~

Section 22. Subsection (11) of section 171.203, Florida Statutes, is amended to read:

171.203 Interlocal service boundary agreement.—The governing body of a county and one or more municipalities or independent special districts within the county may enter into an interlocal service boundary agreement under this part. The governing bodies of a county, a municipality, or an independent special district may develop a process for reaching an interlocal service boundary agreement which provides for public participation in a manner that meets or exceeds the requirements of subsection (13), or the governing bodies may use the process established in this section.

(11)(a) A municipality that is a party to an interlocal service boundary agreement that identifies an unincorporated area for municipal annexation under s. 171.202(11)(a) shall adopt a municipal service area as an amendment to its comprehensive plan to address future possible municipal annexation. The state land planning agency shall review the amendment for compliance with part II of chapter 163. The proposed plan amendment must contain:

1. A boundary map of the municipal service area.

2. Population projections for the area.

3. Data and analysis supporting the provision of public facilities for the area.

(b) This part does not authorize the state land planning agency to review, evaluate, determine, approve, or disapprove a municipal ordinance relating to municipal annexation or contraction.

~~(c) Any amendment required by paragraph (a) is exempt from the twice-per-year limitation under s. 163.3187.~~

Section 23. *There is appropriated to the Division of Community Planning within the Department of Community Affairs eight full-time equivalent positions and $431,299 in recurring general revenue for the 2008-2009 fiscal year.*

Section 24. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 92-219 and insert: system; amending s. 163.31801, F.S.; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment applying to 50 or more acres conduct two meetings to present, discuss, and solicit public comment on the proposed amendment; requiring that one such meeting be conducted before the application is filed and the second meeting be conducted before adoption of the plan amendment; providing notice and procedure requirements for such meetings; requiring that applicants for a plan amendment applying to more than 10 acres but less than 50 acres conduct a meeting before the application is filed and encouraging a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; limiting the adoption of certain plan amendments to twice per calendar year; limiting the adoption of certain plan amendments to once per calendar year; authorizing local governments to adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; providing that a 30-day period for agency comments begins when the state land planning agency notifies the local government that the plan amendment package is complete; requiring adoption of a plan amendment within 120 days after receipt of agency comments or the plan amendment is deemed abandoned; revising the effective date of adopted plan amendments; providing procedural rulemaking authority to the state land planning agency; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 342.201, F.S.; authorizing the Department of Community Affairs to adopt rules to implement the Waterfronts Florida Program; amending s. 380.06, F.S.; requiring a specified level of service for certain transportation methodologies; revising criteria for extending application of certain deadline dates and approvals for developments of regional impact; providing an additional statutory exemption for certain developments in certain counties; providing requirements and limitations; providing an additional statutory exemption for certain redevelopment; amending s. 380.0651, F.S.; expanding the criteria for determining whether certain additional hotel or motel developments are required to undergo development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; prohibiting the expansion of certain facilities to accommodate for a charter school unless such use is consistent with the local comprehensive plan; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an appropriation and authorizing additional positions; providing an effective date.

Senator Lynn moved the following amendment to **Amendment 2** which failed:

Amendment 2A (674746)(with title amendment)—Between line(s) 1722 and 1723 insert:

Section 23. Section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(1)*(a) Recognizing that rural communities and regions continue to face extraordinary challenges in their efforts to achieve significant improvements to their economies, specifically in terms of personal income, job creation, average wages, and strong tax bases, it is the intent of the Legislature to encourage and facilitate the location and expansion in such rural communities of major economic development projects of significant scale.*

(b) The Rural Economic Development Initiative, known as "REDI," is created within the Office of Tourism, Trade, and Economic Development, and the participation of state and regional agencies in this initiative is authorized.

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

(a) "Catalyst project" means a business locating or expanding in a rural area of critical economic concern which is likely to serve as an economic growth opportunity of regional significance for the growth of a regional target industry cluster. The project shall provide capital investment of significant scale which will affect the entire region and will facilitate the development of high-wage and high-skill jobs.

(b) "Catalyst site" means a parcel or parcels of land within a rural area of critical economic concern that has been prioritized by representatives of the jurisdictions within the rural area of critical economic concern, reviewed by REDI, and approved by the Office of Tourism, Trade, and Economic Development for purposes of locating a catalyst project.

(c)~~(a)~~ "Economic distress" means conditions affecting the fiscal and economic viability of a rural community, including such factors as low per capita income, low per capita taxable values, high unemployment, high underemployment, low weekly earned wages compared to the state average, low housing values compared to the state average, high percentages of the population receiving public assistance, high poverty levels compared to the state average, and a lack of year-round stable employment opportunities.

(d) "Rural area of critical economic concern" means a rural community, or a region composed of rural communities, designated by the Governor, which has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster or which presents a unique economic development opportunity of regional impact.

(e)~~(b)~~ "Rural community" means:

1. A county with a population of 75,000 or less.

2. A county with a population of *120,000* ~~100,000~~ or less that is contiguous to a county with a population of 75,000 or less.

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or less and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in paragraph (a) and verified by the Office of Tourism, Trade, and Economic Development.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

(3) REDI shall be responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems which affect the fiscal, economic, and community viability of Florida's economically distressed rural communities, working with local governments, community-based organizations, and private organizations that have an interest in the growth and development of these communities to find ways to balance environmental and growth management issues with local needs.

(4) REDI shall review and evaluate the impact of *laws* ~~statutes~~ and rules on rural communities and ~~shall~~ work to minimize any adverse impact *and shall undertake outreach and capacity-building efforts*.

(5) REDI shall facilitate better access to state resources by promoting direct access and referrals to appropriate state and regional agencies and statewide organizations. REDI may undertake outreach, capacity-building, and other advocacy efforts to improve conditions in rural communities. These activities may include sponsorship of conferences and achievement awards.

(6)(a) By August 1 of each year, the head of each of the following agencies and organizations shall designate a high-level staff person from within the agency or organization to serve as the REDI representative for the agency or organization:

1. The Department of Community Affairs.

2. The Department of Transportation.

3. The Department of Environmental Protection.

4. The Department of Agriculture and Consumer Services.

5. The Department of State.

6. The Department of Health.

7. The Department of Children and Family Services.

8. The Department of Corrections.

9. The Agency for Workforce Innovation.

10. The Department of Education.

11. The Department of Juvenile Justice.

12. The Fish and Wildlife Conservation Commission.

13. Each water management district.

14. Enterprise Florida, Inc.

15. Workforce Florida, Inc.

16. The Florida Commission on Tourism or VISIT Florida.

17. The Florida Regional Planning Council Association.

18. The *Agency for Health Care Administration* ~~Florida State Rural Development Council~~.

19. The Institute of Food and Agricultural Sciences (IFAS).

An alternate for each designee shall also be chosen, and the names of the designees and alternates shall be sent to the director of the Office of Tourism, Trade, and Economic Development.

(b) Each REDI representative must have comprehensive knowledge of his or her agency's functions, both regulatory and service in nature, and of the state's economic goals, policies, and programs. This person shall be the primary point of contact for his or her agency with REDI on issues and projects relating to economically distressed rural communities and with regard to expediting project review, shall ensure a prompt effective response to problems arising with regard to rural issues, and shall work closely with the other REDI representatives in the identification of opportunities for preferential awards of program funds and allowances and waiver of program requirements when necessary to encourage and facilitate long-term private capital investment and job creation.

(c) The REDI representatives shall work with REDI in the review and evaluation of statutes and rules for adverse impact on rural communities and the development of alternative proposals to mitigate that impact.

(d) Each REDI representative shall be responsible for ensuring that each district office or facility of his or her agency is informed about the Rural Economic Development Initiative and for providing assistance throughout the agency in the implementation of REDI activities.

(7)*(a)* REDI may recommend to the Governor up to three rural areas of critical economic concern. ~~A rural area of critical economic concern must be a rural community, or a region composed of such, that has been adversely affected by an extraordinary economic event or a natural disaster or that presents a unique economic development opportunity of regional impact that will create more than 1,000 jobs over a 5-year period.~~ The Governor may by executive order designate up to three rural areas of critical economic concern which will establish these areas as priority assignments for REDI as well as to allow the Governor, acting through REDI, to waive criteria, requirements, or similar provisions of any economic development incentive. Such incentives shall include, but not be limited to: the Qualified Target Industry Tax Refund Program under s. 288.106, the Quick Response Training Program under s. 288.047, the Quick Response Training Program for participants in the welfare transition program under s. 288.047(8), transportation projects under s. 288.063, the brownfield redevelopment bonus refund under s. 288.107, and the rural job tax credit program under ss. 212.098 and 220.1895.

(b) Designation as a rural area of critical economic concern under this subsection shall be contingent upon the execution of a memorandum of agreement among the Office of Tourism, Trade, and Economic Development; the governing body of the county; and the governing bodies of any municipalities to be included within a rural area of critical economic concern. Such agreement shall specify the terms and conditions of the designation, including, but not limited to, the duties and responsibilities of the county and any participating municipalities to take actions designed to facilitate the retention and expansion of existing businesses in the area, as well as the recruitment of new businesses to the area.

(c) Each rural area of critical economic concern may designate catalyst projects provided that each catalyst project is specifically recommended by REDI, identified as a catalyst project by Enterprise Florida, Inc., and confirmed as a catalyst project by the Office of Tourism, Trade, and Economic Development. All state agencies and departments shall use all available tools and resources to the extent permissible by law to promote the creation and development of each catalyst project and the development of catalyst sites.

(8) REDI shall assist local governments within rural areas of critical economic concern with comprehensive planning needs pursuant to s. 163.3184(20) and which implement the provisions of this section. Such assistance shall reflect a multidisciplinary approach among all agencies and shall include economic development and planning objectives.

(a) A local government may request assistance in the preparation of plan amendments that will stimulate economic activity.

1. The local government must contact the Office of Tourism, Trade, and Economic Development to request assistance.

2. REDI representatives shall meet with the local government within 15 days after such request to develop the scope of assistance that will be provided to assist the development, transmittal, and adoption of the proposed comprehensive plan amendment.

3. As part of the assistance provided, REDI representatives shall also identify other needed local and developer actions for approval of the project and recommend a timeline for the local government and developer which will minimize project delays.

(b) In addition, REDI shall solicit requests each year for assistance from local governments within a rural area of critical economic concern to update the future land use element and other associated elements of the local government's comprehensive plan to better position the community to respond to economic development potential within the county or municipality. REDI shall provide direct assistance to such local governments to update their comprehensive plans pursuant to this paragraph. At least one comprehensive planning technical assistance effort shall be selected each year.

(c) REDI shall develop and annually update a technical assistance manual based upon experiences learned in providing direct assistance under this subsection.

(9) As further incentive for development of jobs and advancement of health care in areas that are both a fiscally constrained county pursuant to s. 218.67 and a rural area of critical economic concern as designated by the Governor pursuant to s. 288.0656, the provisions of Rule 9J-5.006(5), Florida Administrative Code, regulating sprawl shall not be applicable to a development of regional impact governed by s. 380.06 if such development is a multiuse development containing at least three distinct uses and such development provides a hospital with a minimum of 70 beds, both of which criteria shall be met within 10 years after receipt of a final development order.

(10)~~(8)~~ REDI shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each year on or before *September* ~~February~~ 1 on all REDI activities *for the prior fiscal year*. This report shall include a status report on all projects currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section, the dollar amount of such awards, and the names of the recipients. The report shall also include a description of all waivers of program requirements granted. The report shall also include information as to the economic impact of the projects coordinated by REDI.

And the title is amended as follows:

On line 1834, after the semicolon (;) insert: amending s. 288.0656, F.S.; providing legislative intent; revising definitions; providing certain additional review and action requirements for REDI relating to rural communities; revising representation on REDI; deleting a limitation on characterization as a rural area of critical economic concern; authorizing rural areas of critical economic concern to designate certain catalyst projects for certain purposes; providing project requirements; requiring the initiative to assist local governments with certain comprehensive planning needs; providing procedures and requirements for such assistance; revising certain reporting requirements for REDI; providing for nonapplication of certain administrative rules to certain developments of regional impact under certain circumstances;

The vote was:

Yeas—18

Alexander	Dean	Jones
Aronberg	Diaz de la Portilla	Lynn
Baker	Fasano	Oelrich
Bennett	Gaetz	Peaden
Bullard	Haridopolos	Saunders
Dawson	Hill	Siplin

Nays—20

Mr. President	Deutch	Justice
Atwater	Dockery	King
Carlton	Garcia	Margolis
Constantine	Geller	Rich
Crist	Joyner	Ring
Storms	Webster	Wise
Villalobos	Wilson	

Vote after roll call:

Yea—Posey

MOTION

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

Senator Garcia moved the following amendment to **Amendment 2** which was adopted:

Amendment 2B (773760)—Delete line(s) 1511 and insert:

Section 17. Paragraph (a) of subsection (7), paragraph (c) of subsection

MOTION

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

Senators Wise and Gaetz offered the following amendment to **Amendment 2** which was moved by Senator Wise and adopted:

Amendment 2C (933370)(with title amendment)—Delete line(s) 1645-1657 and insert:

(c) Any facility, or portion thereof, used to house a charter school whose charter has been approved by the sponsor and the governing board, pursuant to subsection (7), *is* ~~shall be~~ exempt from ad valorem taxes pursuant to s. 196.1983. Library, community service, museum, performing arts, theatre, cinema, church, community college, college, and university facilities may provide space to charter schools within their *existing* facilities under their preexisting zoning and land use designations.

And the title is amended as follows:

Delete line(s) 1827-1832 and insert: amending s. 1002.33, F.S.; clarifying that certain entities may provide space in existing facilities to charter schools; amending ss. 163.3217, 163.3182,

MOTION

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

Senator Garcia moved the following amendment to **Amendment 2** which was adopted:

Amendment 2D (944020)(with title amendment)—Delete line(s) 670-884

And the title is amended as follows:

Delete line(s) 1781-1790 and insert: effective; amending s. 163.3246,F.S.; discontinuing

Amendment 2 as amended was adopted.

RECONSIDERATION OF AMENDMENTS

On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 1 (842906)** was adopted. On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 1D (020158)** failed. **Amendment 1D** was adopted. **Amendment 1** as amended was adopted.

On motion by Senator Garcia, further consideration of **CS for CS for SB 474** as amended was deferred.

MOTION

On motion by Senator Carlton, by two-thirds vote **CS for CS for SB 1296** was placed on the Special Order Calendar.

Consideration of **CS for CS for CS for SB 1978** was deferred.

On motion by Senator Dockery, by two-thirds vote **HB 7113** was withdrawn from the Committee on Criminal Justice.

On motion by Senator Dockery—

HB 7113—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 943.05, F.S.; providing that if fingerprints submitted to the Department of Law Enforcement for background screening are identified with the fingerprints of a person having a criminal history record, the department may make the fingerprints available for all purposes and uses authorized for arrest fingerprint cards; amending s. 943.053, F.S.; clarifying provisions relating to the fees charged for requests for criminal history information; amending s. 943.0542, F.S.; authorizing a qualified entity requesting screening information concerning an employee or volunteer, or a person applying to be an employee or volunteer, to submit the request electronically; requiring the qualified entity to maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity; revising provisions relating to the fees for such screenings; amending s. 943.0581, F.S.; revising the information to be included in an application for an administrative expunction of any nonjudicial record of an arrest of a minor or an adult made contrary to law or by mistake; permitting specified officials to make an application for an administrative expunction; amending s. 943.0585, F.S.; providing additional circumstances in which a person may not lawfully deny or fail to acknowledge the arrests covered by an expunged criminal history record; amending s. 943.059, F.S.; providing that sealed criminal history records may be available to judges in the state courts system for specified purposes; providing additional circumstances in which a person may not lawfully deny or fail to acknowledge the arrests covered by a sealed criminal history record; amending s. 943.06, F.S.; adding the Secretary of Children and Family Services, or the secretary's designated assistant, to the Criminal and Juvenile Justice Information Systems Council; amending s. 943.08, F.S.; revising the duties of the Criminal and Juvenile Justice Information Systems Council; amending s. 943.081, F.S.; specifying and clarifying the principles adopted by the Criminal and Juvenile Justice Information Systems Council as the guiding principles for the management of public safety system information technology resources; authorizing creation of a citizen support organization for Florida Missing Children's Day by the Department of Law Enforcement to provide assistance, funding, and promotional support for activities authorized for that day; providing for duties and functions of the support organization; authorizing the department to fix and collect charges for the rental of facilities and properties managed by the department and providing for deposit and use of moneys collected; providing that the support organization is not a lobbyist; providing for the use and management of department property; providing for an annual audit; providing an effective date.

—a companion measure, was substituted for **CS for SB 838** and read the second time by title. On motion by Senator Dockery, by two-thirds vote **HB 7113** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

SB 1626—A bill to be entitled An act relating to the charter county transit system surtax; amending s. 212.055, F.S.; renaming the surtax; expanding the eligibility to levy the surtax to all charter counties; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Geller moved the following amendment which failed:

Amendment 1 (646496)(with title amendment)—Between lines 78 and 79 insert:

Section 2. Section 212.0606, Florida Statutes, is amended to read:

212.0606 Rental car surcharge*; discretionary local rental car surcharge*.—

(1) A surcharge of *$2* ~~$2.00~~ per day or any part of a day is imposed upon the lease or rental of a motor vehicle licensed for hire and designed to carry *fewer* ~~less~~ than nine passengers*,* regardless of whether such motor vehicle is licensed in Florida. The surcharge applies to only the first 30 days of the term of any lease or rental *and*~~. The surcharge~~ is subject to all applicable taxes imposed by this chapter.

(2)(a) Notwithstanding *s.* ~~the provisions of section~~ 212.20, and less costs of administration, 80 percent of the proceeds of *the* ~~this~~ surcharge *imposed under subsection (1)* shall be deposited in the State Transportation Trust Fund, 15.75 percent of the proceeds of this surcharge shall be deposited in the Tourism Promotional Trust Fund created in s. 288.122, and 4.25 percent of the proceeds of this surcharge shall be deposited in the Florida International Trade and Promotion Trust Fund. *As used in* ~~For the purposes of~~ this subsection, "proceeds" of the surcharge means all funds collected and received by the department under *subsection (1)* ~~this section~~, including interest and penalties on delinquent surcharges. The department shall provide the Department of Transportation rental car surcharge revenue information for the previous state fiscal year by September 1 of each year.

(b) Notwithstanding any other provision of law, in fiscal year 2007-2008 and each year thereafter, the proceeds deposited in the State Transportation Trust Fund shall be allocated on an annual basis in the Department of Transportation's work program to each department district, except the Turnpike District. The amount allocated for each district shall be based upon the amount of proceeds attributed to the counties within each respective district.

(3)(a) In addition to the surcharge imposed under subsection (1), each county containing an airport and a regional transportation authority under chapter 343 may levy a discretionary local surcharge pursuant to county ordinance and subject to approval by a majority vote of the electorate of the county voting in a referendum on the local surcharge of $2 per day, or any part of a day, upon the lease or rental of a motor vehicle licensed for hire and designed to carry fewer than nine passengers, regardless of whether such motor vehicle is licensed in this state. The surcharge may be applied to only the first 30 days of the term of the lease or rental and is subject to all applicable taxes imposed by this chapter.

(b) If the ordinance authorizing the imposition of the surcharge is approved by referendum, a certified copy of the ordinance shall be furnished by the county to the department within 10 days after such approval, but no later than November 16 prior to the effective date. The notice must specify the time period during which the surcharge will be in effect and must include a copy of the ordinance and such other information as the department requires by rule. Failure to timely provide such notification to the department shall result in delay of the effective date for 1 year. The effective date for any county to impose the surcharge shall be January 1 following the year in which the ordinance was approved by referendum. A local surcharge may not terminate on a date other than December 31.

(c) A dealer that collects the local surcharge but fails to report surcharge collections by county, as required by paragraph (4)(b), shall have the surcharge proceeds deposited into the Solid Waste Management Trust Fund and transferred to the Local Option Fuel Tax Trust Fund, which

is separate from the county surcharge collection accounts. The department shall distribute funds in this account, less the cost of administration, using a distribution factor determined for each county that levies a surcharge based on the county's latest official population as determined pursuant to s. 186.901 and multiplied by the amount of funds in the account and available for distribution.

(d) Notwithstanding s. 212.20, and less the costs of administration, the proceeds of the local surcharge imposed under paragraph (a) shall be transferred to the Local Option Fuel Tax Trust Fund and distributed monthly by the department pursuant to s. 336.025(3)(a)1. or (4)(a) and used solely for costs associated with the construction, reconstruction, operation, maintenance, and repair of facilities under a commuter rail service program provided by the state or other governmental entity. The revenue generated by the local surcharge in each county shall be redistributed to the transportation authority of that county. As used in this subsection, "proceeds" of the local surcharge means all funds collected and received by the department under this subsection, including interest and penalties on delinquent surcharges.

(4)~~(3)~~(a) Except as provided in this section, the department shall administer, collect, and enforce the surcharge *and local surcharge* as provided in this chapter.

(b) The department shall require dealers to report surcharge collections according to the county to which the surcharge *and local surcharge* was attributed. For purposes of this section, the surcharge *and local surcharge* shall be attributed to the county where the rental agreement was entered into.

(c) Dealers who collect *a* ~~the~~ rental car surcharge shall report to the department all surcharge *and local surcharge* revenues attributed to the county where the rental agreement was entered into on a timely filed return for each required reporting period. The provisions of this chapter which apply to interest and penalties on delinquent taxes shall apply to the surcharge *and local surcharge*. The surcharge *and local surcharge* shall not be included in the calculation of estimated taxes pursuant to s. 212.11. The dealer's credit provided in s. 212.12 shall not apply to any amount collected under this section.

(5)~~(4)~~ The surcharge *and any local surcharge* imposed by this section does not apply to a motor vehicle provided at no charge to a person whose motor vehicle is being repaired, adjusted, or serviced by the entity providing the replacement motor vehicle.

And the title is amended as follows:

Delete lines 2-5 and insert: An act relating to discretionary charges by counties; amending s. 212.055, F.S.; renaming the charter county transit system surtax; expanding the eligibility to levy the surtax to all charter counties; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of commuter rail service facilities; providing an effective date.

On motion by Senator Alexander, by two-thirds vote **SB 1626** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—1

Haridopolos

Vote after roll call:

Yea—Wise

Nay—Atwater

CS for CS for SB's 2086 and 2498—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or

repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S., and transferring, renumbering, and amending s. 498.019, F.S.; consolidating and revising provisions relating to the creation, purposes, and sources of funds of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; amending s. 849.094, F.S.; providing that certain provisions related to game promotion in connection with the sale of consumer products or services do not apply to pari-mutuel permitholders licensed to conduct slot machine gaming; providing effective dates.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB's 2086 and 2498** to **CS for CS for HB 601**.

Pending further consideration of **CS for CS for SB's 2086 and 2498** as amended, on motion by Senator Jones, by two-thirds vote **CS for CS for HB 601** was withdrawn from the Committees on Regulated Industries; Banking and Insurance; and Judiciary.

On motion by Senator Jones—

CS for CS for HB 601—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by

majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the parcel owner and is collectable in the same manner as an assessment; amending s. 489.1425, F.S.; providing an exemption from the written notice requirement; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 477.019, F.S., relating to cosmetologists; allowing a student to apply for licensure examination prior to graduation and to practice prior to licensure; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S., and transferring, renumbering, and amending s. 498.019, F.S.; consolidating and revising provisions relating to the creation, purposes, and sources of funds of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB's 2086 and 2498** as amended and read the second time by title.

Senator Jones moved the following amendments which were adopted:

Amendment 1 (465352)(with title amendments)—Between line(s) 221 and 222 insert:

Section 1. Paragraph (b) of subsection (1) of section 718.111, Florida Statutes, as amended by section 6 of House Bill 995, enacted in the 2008 Regular Session, is amended to read:

718.111 The association.—

(1) CORPORATE ENTITY.—

(b) A director of the association who is present at a meeting of its board at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless he or she votes against such action or abstains from voting ~~in respect thereto because of an asserted conflict of interest~~. *A director of the association who abstains from voting on any action taken on any corporate matter shall be presumed to have taken no position with regard to the action.* Directors may not vote by proxy or by secret ballot at board meetings, except that

officers may be elected by secret ballot. A vote or abstention for each member present shall be recorded in the minutes.

Section 2. *The amendments to section 718.111, Florida Statutes, in this act prevail over any conflicting amendments to that section contained in HB 995 and enacted during the 2008 Regular Session.*

(Redesignate subsequent sections.)

And the title is amended as follows:

Between line(s) 3 and 4 insert: providing for an condominium association director to abstain from an association vote; providing for application;

Amendment 2 (227610)(with title amendments)—Delete line(s) 723-730 and redesignate subsequent sections.

And the title is amended as follows:

Delete line(s) 122-124 and insert: in the same manner as an assessment; amending s. 20.165, F.S.; changing the name

Amendment 3 (040578)—Delete line(s) 1332-1374 and insert:

Section 28. Subsections (4) and (5) of section 477.019, Florida Statutes, are amended, subsections (5) through (7) of that section are renumbered as subsections (6) through (8), respectively, and a new subsection (3) is added to that section, to read:

477.019 Cosmetologists; qualifications; licensure; supervised practice; license renewal; endorsement; continuing education.—

(3) An application for the licensure examination for any license under this section may be submitted for examination approval in the last 100 hours of training by a pregraduate of a licensed cosmetology school or a program within the public school system, which school or program is certified by the Department of Education with fees as required in paragraph (2)(b). Upon approval, the applicant may schedule the examination on a date when the training hours are completed. An applicant shall have 6 months from the date of approval to take the examination. After the 6 months have passed, if the applicant failed to take the examination, the applicant must reapply. The board shall establish by rule the procedures for the pregraduate application process.

(4) ~~(3)~~ Upon an applicant receiving a passing grade, as established by board rule, on the examination and paying the initial licensing fee, the department shall issue a license to practice cosmetology.

(5) ~~(4)~~ *If an applicant passes all parts of the examination for licensure as a cosmetologist, he or she may practice in the time between passing the examination and receiving a physical copy of his or her license if he or she practices under the supervision of a licensed cosmetologist in a licensed salon. An applicant who fails any part of the examination may not practice as a cosmetologist and may immediately apply for reexamination.*

~~Following the completion of the first licensing examination and pending the results of that examination and issuance of a license to practice cosmetology, graduates of licensed cosmetology schools or cosmetology programs offered in public school systems, which schools or programs are certified by the Department of Education, are eligible to practice cosmetology, provided such graduates practice under the supervision of a licensed cosmetologist in a licensed cosmetology salon. A graduate who fails the first examination may continue to practice under the supervision of a licensed cosmetologist in a licensed cosmetology salon if the graduate applies for the next available examination and until the graduate receives the results of that examination. No graduate may continue to practice under this subsection if the graduate fails the examination twice.~~

On motion by Senator Jones, by two-thirds vote **CS for CS for HB 601** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine
Crist	Hill	Rich
Dawson	Jones	Ring
Dean	Joyner	Saunders
Deutch	Justice	Siplin
Diaz de la Portilla	King	Storms
Dockery	Lawson	Villalobos
Fasano	Lynn	Webster
Gaetz	Margolis	Wilson
Garcia	Oelrich	Wise
Geller	Peaden	
Haridopolos	Posey	

Nays—None

On motion by Senator Posey, by two-thirds vote **CS for HB 1037** was withdrawn from the Committee on Banking and Insurance.

On motion by Senator Posey—

CS for HB 1037—A bill to be entitled An act relating to escrow agents; creating s. 877.101, F.S.; prohibiting unauthorized persons from transacting business using the term "escrow" in a name or a title under certain circumstances; providing for nonapplication to certain persons or entities; authorizing certain persons to bring an action for declaratory relief for certain purposes; providing for recovery by injured persons of actual damages plus attorney fees and court costs in certain actions; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 2272** and read the second time by title. On motion by Senator Posey, by two-thirds vote **CS for HB 1037** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 1417** was withdrawn from the Committees on Commerce; and Criminal Justice.

On motion by Senator Diaz de la Portilla—

CS for HB 1417—A bill to be entitled An act relating to counterfeit goods; amending s. 831.03, F.S.; creating and revising definitions; creating s. 831.031, F.S.; providing that possession of more than a specified number of counterfeit items, unless satisfactorily explained, allows an inference that such property is possessed with intent to offer it for sale or distribution in certain circumstances; providing that a state or federal certificate of registration of trademark shall be prima facie evidence of the facts stated therein; creating s. 831.032, F.S.; prohibiting specified offenses concerning involving forging or counterfeiting private labels; providing penalties; providing for reclassification of specified offenses; providing for fines based on the retail value of goods in certain circumstances; providing for restitution; providing applicability of certain defenses and limitations on remedies to prosecutions under the section; creating s. 831.033, F.S.; providing for destruction or forfeiture of goods to which the forged or counterfeit trademarks or service marks were attached; providing for forfeiture of property constituting or derived

from any proceeds of a counterfeiting offense; permitting alternative disposure of forfeited items bearing or consisting of a counterfeit trademark with the written consent of the trademark owners; providing for the costs of such alternative disposition; creating s. 831.034, F.S.; providing that prosecution under specified provisions does not preclude the applicability of any other provision of the law that applies or may in the future apply to any transaction which violates specified provisions, unless such provision is inconsistent with the terms of those provisions; repealing s. 831.05, F.S., relating to vending goods or services with counterfeit trademarks or service marks; providing an effective date.

—a companion measure, was substituted for **CS for SB 2374** and read the second time by title. On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 1417** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

On motion by Senator Margolis, by two-thirds vote **CS for HB 1105** was withdrawn from the Committees on Regulated Industries; and Community Affairs.

On motion by Senator Margolis—

CS for HB 1105—A bill to be entitled An act relating to community associations; amending s. 718.1124, F.S., and creating ss. 719.1124 and 720.3053, F.S.; providing for notification of a unit owner's or member's intent to petition for the appointment of a receiver if an association's governing board fails to fill vacancies sufficient to constitute a quorum; providing for written notice to unit owners or members of any such appointment; requiring the salary of the receiver and certain costs and fees to be paid by the association; providing powers, duties, and term of service of the receiver; amending s. 718.117, F.S., and creating ss. 718.127, 719.127, and 720.313, F.S.; specifying receivership notification requirements with respect to condominium associations, cooperative associations, and homeowners' associations; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; amending s. 719.108, F.S.; prohibiting a lien from being filed against a condominium unit or cooperative parcel until 30 days after service of a notice of intent to file the lien; amending s. 720.305, F.S.; deleting notification requirements for the appointment of a receiver under specified circumstances for matters relating to homeowners' associations; providing an effective date.

—a companion measure, was substituted for **CS for SB 2494** and read the second time by title. On motion by Senator Margolis, by two-thirds vote **CS for HB 1105** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Carlton	Dockery
Alexander	Constantine	Fasano
Aronberg	Crist	Gaetz
Atwater	Dawson	Garcia
Baker	Dean	Geller
Bennett	Deutch	Haridopolos
Bullard	Diaz de la Portilla	Hill
Jones	Oelrich	Storms
Joyner	Peaden	Villalobos
Justice	Posey	Webster
King	Rich	Wilson
Lawson	Ring	Wise
Lynn	Saunders	
Margolis	Siplin	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2618, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2618—A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; limiting application of the environmental health program of the Department of Health to state institutions for the mentally ill rather than all institutions used for the incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; amending s. 381.98, F.S.; changing the name of the Florida Public Health Foundation, Inc., to the Florida Public Health Institute, Inc.; providing that the purpose of the institute is to advance the knowledge and practice of public health, including promoting health awareness in this state; providing for the objectives of the institute; requiring that the institute be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code; providing for the duties of the institute; providing that affairs of the institute be managed by an executive director appointed by a board of directors; providing for membership on the board of directors; requiring the institute to present an annual report concerning its activities and finances to the Governor, the President of the Senate, and the Speaker of the House of Representatives; repealing s. 381.85, F.S., the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an effective date.

House Amendment 1 (622583)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (6) 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:

(6) A public facilities function, including sanitary practices relating to state, county, municipal, and private institutions serving the public; jointly with the Department of Education, publicly and privately owned schools; ~~all places used for the incarceration of prisoners and inmates of~~ state institutions for the mentally ill; toilets and washrooms in all public places and places of employment; any other condition, place, or establishment necessary for the control of disease or the protection and safety of public health.

The department may adopt rules to carry out the provisions of this section.

Section 2. Subsection (1) of section 381.86, Florida Statutes, is amended to read:

381.86 Institutional Review Board.—

(1) The Institutional Review Board is created within the Department of Health in order to satisfy federal requirements under 45 C.F.R. part 46 and 21 C.F.R. parts 50 and 56 ~~that an institutional review board review all biomedical and behavioral research on human subjects which is funded or supported in any manner by the department~~.

Section 3. Section 381.98, Florida Statutes, is amended to read:

381.98 The Florida Public Health *Institute* ~~Foundation~~, Inc.; establishment; purpose; mission; duties; board of directors.—

(1) The Florida Public Health *Institute* ~~Foundation~~, Inc., referred to in this section as "the corporation," is established for the purpose of *advancing the knowledge and practice of public health, including* ~~disseminating breakthrough findings in biomedical research and~~ promoting health awareness in this state ~~and providing services to the Department of Health~~.

~~(2) The corporation's mission includes disseminating information about innovative biomedical research and clinical trials in this state as well as making Floridians and their treatment providers aware of specified diseases and conditions and available methods of preventing, diagnosing, treating, and curing those diseases and conditions.~~

(2)~~(3)~~ The ~~purpose and~~ objective of the corporation *is* ~~shall be~~ to operate exclusively for charitable, scientific, and educational purposes; to protect and improve the health and well-being of Florida's people and environment through partnerships committed to program innovation, education, applied research, and policy development; and to engage in charitable programs dedicated to improving the health of Floridians.

(3)~~(4)~~ The corporation shall be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code. The corporation may receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from the mission-related activities of the corporation. The corporation shall have all of the powers conferred upon corporations organized under chapter 617.

(4)~~(5)~~ The corporation's duties include procuring funds necessary for accomplishing the purpose and mission of the corporation. The corporation shall strive to complement, supplement, and enhance the missions of the various organizations, entities, and departments ~~represented on its board~~ by serving as the lead corporation in the state for promoting public health awareness.

(5)~~(6)~~ The affairs of the corporation shall be managed by an executive director appointed by a board of directors. ~~consisting of:~~

(6) The board of directors shall be elected in accordance with the bylaws of the corporation and must include, but need not be limited to:

(a) The State Surgeon General or his or her designee.

(b) A *representative of the Florida Public Health Association* ~~former member of the Senate appointed by the President of the Senate~~.

(c) *Representatives of local health departments, with at least one representative from the southern, central, and northern areas of the state* ~~A former member of the House of Representatives appointed by the Speaker of the House of Representatives~~.

(d) *Representatives from institutions of higher learning* ~~A representative of the American Heart Association~~.

(e) *Representatives from the private health care, business, or foundation community* ~~A representative of the American Cancer Society, Florida Division, Inc~~.

~~(f) A representative of the American Lung Association of Florida.~~

~~(g) A representative of the American Diabetes Association, South Coastal Region.~~

~~(h) A representative of the Alzheimer's Association.~~

~~(i) A representative of the Epilepsy Foundation.~~

~~(j) A representative of the National Parkinson Foundation.~~

~~(k) A representative of the March of Dimes, Florida Chapter.~~

~~(l) A representative of the Arthritis Foundation, Florida Chapter.~~

~~(m) A representative of the American Liver Foundation.~~

~~(n) A representative of the Florida Council for Behavioral Healthcare, Inc.~~

~~(o) A representative of the Florida Alcohol and Drug Abuse Association.~~

~~(p) A representative of Pharmaceutical Research and Manufacturers of America.~~

~~(q) A representative of the Florida Public Health Association.~~

~~(r) A representative of the Florida Association of County Health Officers.~~

~~(s) A public health academician selected by the State Health Officer.~~

~~(t) A representative of the Florida Academy of Family Physicians.~~

~~(u) Three consumers who have demonstrated an interest in protecting the public health appointed by the Florida Public Health Association.~~

~~(v) A representative of the Florida Association of Health Plans.~~

(7) The majority of board members must be nonstate employees.

~~(7) Members of the board of directors shall serve for 2-year terms and shall serve without compensation. Each organization represented on the board of directors shall cover the expenses of its representative.~~

~~(8) The corporation, in consultation with the Department of Health and the Florida Center for Universal Research to Eradicate Disease, shall facilitate communication between biomedical researchers and health care providers each month according to the health awareness schedule established by the Florida Public Health Foundation, Inc., in order to ensure ongoing dialogue between researchers, treatment providers, and the department.~~

(8)~~(9)~~ The corporation and the Department of Health shall enter into partnerships with providers of continuing education for health care practitioners, including, but not limited to, hospitals and state and local medical organizations, to ensure that practitioners are aware of the most recent and complete diagnostic and treatment tools.

(9)~~(10)~~ The corporation may provide personnel to the Department of Health for the purpose of performing duties and responsibilities outlined in private and public grants received by the Department of Health. These personnel are not state employees and are not entitled to retirement credit and other benefits provided to state employees under chapters 110 and 112. These personnel shall perform services *under* ~~pursuant to~~ an agreement between the corporation and the Department of Health.

(10)~~(11)~~ The corporation may purchase goods, services, and property for use by the Department of Health. These purchases are not subject to the provisions of chapters 253, 255, and 287, nor to the control or direction of the Department of Environmental Protection or the Department of Management Services.

(11)~~(12)~~ The corporation shall provide an annual report concerning its activities ~~and finances~~ to the ~~Florida Center for Universal Research to Eradicate Disease and shall provide copies of the annual report to the~~ Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 4. Paragraph (h) of subsection (1) of section 20.435, Florida Statutes, is amended to read:

20.435 Department of Health; trust funds.—

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(h) Biomedical Research Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds deposited pursuant to s. 215.5601 and any other funds appropriated by the Legislature. Funds shall be used for the purposes of the James and Esther King Biomedical Research Program and the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program as specified

in ss. 215.5602, 288.955, and 381.922. The trust fund is exempt from the service charges imposed by s. 215.20.

2. Funds deposited into the trust fund pursuant to s. 215.5601 and any other funds appropriated by the Legislature as specified in s. 215.5602(12)(a) for research related to tobacco-related diseases shall be used exclusively for the purpose of awarding grants and fellowships for research regarding the prevention, diagnosis, treatment, and cure of tobacco-related diseases by the James and Esther King Biomedical Research Program.

3. Funds deposited into the trust fund pursuant to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program as specified in s. 381.922 shall be used for the purpose of awarding grants for cancer research by the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.

4. All other funds deposited into the trust fund shall be used for the purpose of awarding grants and fellowships for biomedical research regarding the prevention, diagnosis, treatment, and cure of the most deadly and widespread nontobacco-related acute, chronic, and degenerative diseases by the James and Esther King Biomedical Research Program as specified in s. 215.5602(2)(b) and (12)(b).

5.~~2.~~ 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. The department may invest these funds independently through the Chief Financial Officer or may negotiate a trust agreement with the State Board of Administration for the investment management of any balance in the trust fund.

6.~~3.~~ Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance of any appropriation from the Biomedical Research Trust Fund which is not disbursed but which is obligated pursuant to contract or committed to be expended may be carried forward for up to *5* ~~3~~ years following the effective date of the original appropriation.

Section 5. Paragraph (e) of subsection (5) of section 215.5601, Florida Statutes, is amended to read:

215.5601 Lawton Chiles Endowment Fund.—

(5) AVAILABILITY OF FUNDS; USES.—

(e) Notwithstanding s. 216.301 and pursuant to s. 216.351, all unencumbered balances of appropriations from each department's respective Tobacco Settlement Trust Fund as of June 30 or undisbursed balances as of December 31 shall revert to the endowment's principal. Unencumbered balances in the Biomedical Research Trust Fund shall be managed as provided in s. 20.435(1)(h)*5.*~~2.~~

Section 6. Section 215.5602, Florida Statutes, is 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 *and nontobacco-related acute, chronic, and degenerative diseases, including cancer, cardiovascular disease, stroke, pulmonary disease, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's 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 *the most deadly and widespread acute, chronic, and degenerative diseases, including, but not limited to, tobacco-related diseases,* cancer, cardiovascular disease, stroke, ~~and~~ pulmonary disease*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease*.

(b) Expand the foundation of biomedical knowledge relating to the prevention, diagnosis, treatment, and cure of *tobacco-related* diseases ~~related to tobacco use~~, including cancer, cardiovascular disease, stroke, and pulmonary disease.

(c) Expand the foundation of biomedical knowledge relating to the prevention, diagnosis, treatment, and cure of the most widespread acute, chronic, and degenerative diseases affecting Floridians, including, but not limited to, cancer, cardiovascular disease, stroke, pulmonary disease, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease.

(e)~~(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.

(f)~~(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.

(g)~~(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)*(a) Funds appropriated for the James and Esther King Biomedical Research Program pursuant to the Lawton Chiles Endowment Fund created in s. 215.5601 and additional funding provided under paragraph (12)(a) for research related to tobacco-related diseases shall be credited to the Biomedical Research Trust Fund pursuant to s. 20.435 and shall be used exclusively for the award of grants and fellowships related to the prevention, diagnosis, treatment, and cure of tobacco-related diseases, 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 tobacco-related diseases.*

(b) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, all other funds appropriated for the James and Esther King Biomedical Research Program shall be *credited to the Biomedical Research Trust Fund pursuant to s. 20.435 and 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 *the most deadly and widespread acute, chronic, and degenerative nontobacco-related* diseases *affecting Floridians* ~~related to tobacco use~~, including cancer, cardiovascular disease, stroke, ~~and~~ pulmonary disease*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's 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 *Commission* ~~Advisory Council~~.

(a) The *commission* ~~council~~ shall consist of *15* ~~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 *Greater Southeast* ~~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 chief executive officer of the South Coastal Region of the American Diabetes Association, or a designee; and the president of the Florida Medical Association, or a designee*. The remaining *10* ~~8~~ members of the *commission* ~~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 *three* ~~two~~ members, one member with expertise in the field of behavioral or social research and *two members representing volunteer health organizations operating in the state that focus on Alzheimer's disease, Parkinson's disease, epilepsy, stroke, or autoimmune and genetic disorders* ~~one representative from a cancer program approved by the American College of Surgeons~~.

3. The Speaker of the House of Representatives shall appoint *three* ~~two~~ members, *two members representing volunteer health organizations operating in the state that focus on Alzheimer's disease, Parkinson's disease, epilepsy, stroke, or autoimmune and genetic disorders* ~~one member from a professional medical organization~~ and one *member representing* ~~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*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's 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) Except for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program that expires June 30, 2011, pursuant to s. 381.922, beginning in fiscal year 2009-2010, and each fiscal year thereafter, funds appropriated for the James and Esther King Biomedical Research Program shall serve as the exclusive source of awarding grants or fellowships for biomedical research in the state using state funds. This paragraph does not preclude another grant or fellowship program created by state law from awarding grants from funds received from private or federal sources if permitted by state law.

(c) The commission shall create committees to focus on disease-specific areas, including, but not limited to, tobacco-related diseases, cancer, stroke, cardiovascular disease, pulmonary disease, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease.

(d)~~(b)~~ The *commission* ~~council~~ shall adopt internal organizational procedures as necessary for its efficient organization*, including policies and procedures regarding the creation and composition of the committees, the submission of reports and recommendations by committees regarding the awarding of grants and fellowships, coordination between the commission and committees, and the methods for receiving input from individuals, organizations, or entities that are not members of the commission or its committees regarding the prioritization of research*.

(e)~~(c)~~ The department shall provide such staff, information, and other assistance as is reasonably necessary to assist the *commission* ~~council~~ in carrying out its responsibilities*, including those of its committees*.

(f)~~(d)~~ Members of the *commission* ~~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*, including attending committee meetings*.

(4) The *commission* ~~council~~ shall *, after considering the recommendations of its committees,* advise the State Surgeon General as to the direction and scope of the biomedical research program. The responsibilities of the *commission* ~~council may~~ include, but are not limited to:

(a) *Establishing* ~~Providing advice on~~ program priorities and emphases.

(b) *Evaluating* ~~Providing advice on~~ the overall program budget *and making recommendations to the State Surgeon General and the Legislature regarding future appropriations*.

(c) Participating in periodic program evaluation.

(d) *Developing* ~~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) *Developing* ~~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, *independent peer* review, and award of research grants and fellowships, to ensure an impartial, high-quality*, science-based* 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) *Beginning in fiscal year 2008-2009,* grants and fellowships shall be awarded by the State Surgeon General, after consultation with the *commission* ~~council~~ , on the basis of scientific merit, as determined by an open competitive peer review process that ensures objectivity, consistency, and high quality.

(c) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the State Surgeon General shall submit to the Legislature by February 1 priority lists for the funding of both tobacco-related and nontobacco-related biomedical research by the Legislature based on the recommendations made by the commission after peer review and scoring of the applications received. Recommendations to the Legislature shall be in the form of lists submitted by the State Surgeon General of the commission's rank order of priority from the proposal with the highest priority through the proposal with the lowest priority, including the recommended dollar amount and duration for each proposal. The State Surgeon General may not reject or modify the commission's recommendations. Successful applicants shall be awarded grants or fellowships by the State Surgeon General based upon the recommendations of the commission and the final funding decision made by the Legislature. Funding for grant and fellowship applications for tobacco-related research shall be based upon funds available pursuant to paragraphs (2)(a) and (12)(a) and s. 215.5601.

(d) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the commission's overall ranking of grant and fellowship applications shall be based on the score awarded to the proposal by peer reviewers on the basis of scientific merit through an open competitive peer review process that ensures objectivity, consistency, and high quality and the commission's determination of the following:

1. The projected impact that the proposed research will have on the most deadly and widespread diseases affecting Floridians at the time the grant or fellowship is awarded;

2. The likelihood or possibility that the proposed research will result in new treatment modalities or technology during the term of the grant or fellowship; and

3. Whether the research proposed offers an efficient use of state funds in order to prevent or cure disease.

(e) 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.

(f) The State Surgeon General shall award grants or fellowships for terms of 1 to 5 years. State funds shall only be provided for research that was applied for, reviewed, and recommended in accordance with this section.

(g) Except for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program that expires June 30, 2011, pursuant to s. 381.922, beginning July 1, 2009, and each fiscal year thereafter, any program, board, commission, council, advisory group, agency, or entity created by state law that awards or recommends the award of grants or fellowships for biomedical research may not award grants or fellowships

that require the use of state funds and, instead, shall make any recommendation to the commission and its committees for the prioritization and award of grants and fellowships through the James and Esther King Biomedical Research Program.

(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 *commission* ~~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 *commission and its committees* ~~council~~ and must be considered in determining which proposals shall be recommended for funding.

(7) The *commission, the committees,* ~~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 *commission, committee,* ~~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 *commission, committees,* ~~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. *Effective July 1, 2009, administrative expenses may not exceed 10 percent of the total funds available to the program in any given year. Effective July 1, 2011, administrative expenses may not exceed 5 percent of the total funds available to the program in any given year.*

(9) The department, after consultation with the *commission* ~~council~~, may adopt rules *pursuant to ss. 120.536(1) and 120.54* as necessary to implement this section.

(10) *In addition to its recommendations regarding appropriations for the award of grants and fellowships to the State Surgeon General and the Legislature,* the *commission* ~~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 *current* 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* ~~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 *the most deadly and widespread acute, chronic, and degenerative tobacco-related and nontobacco-related diseases affecting Floridians* ~~diseases related to tobacco use~~, including cancer, cardiovascular disease, stroke, ~~and~~ pulmonary disease*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease*.

(11) The *commission* ~~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. *This subsection expires June 30, 2011.*

(12)*(a)* Beginning in fiscal year 2006-2007, the sum of $6 million is appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the *award of grants and fellowships by the* James and Esther King Biomedical Research Program *for research relating to tobacco-related diseases* pursuant to this section. From these funds up to $250,000 shall be available for the operating costs of the Florida Center for Universal Research to Eradicate Disease.

(b) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the Legislature may appropriate funds from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the award of grants and fellowships by the James and Esther King Biomedical Research Program for research of the most deadly and widespread nontobacco-related acute, chronic, and degenerative diseases pursuant to this section. Any research grant or fellowship awarded for Alzheimer's research pursuant to this section shall be named a "Johnnie B. Byrd, Sr. Alzheimer's Grant." Any research grant or fellowship awarded for cancer research pursuant to this section shall be named a "Bankhead-Coley Cancer Grant."

(13) This section does not apply to the 21st Century World Class Scholars, Centers of Excellence, or State University Research Commercialization Assistance Grant Programs established under s. 1004.226; to the University Major Gifts Program established under s. 1011.94; or to the use of general operating funds appropriated to universities.

(14)~~(13)~~ By June 1, *2014* ~~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, *2016* ~~2011~~ .

(15)~~(14)~~ The Legislature shall review the performance, the outcomes, and the financial management of the James and Esther King Biomedical Research Program during the *2015* ~~2010~~ Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.

(16)~~(15)~~ This section expires January 1, *2016* ~~2011~~, unless reviewed and reenacted by the Legislature before that date.

Section 7. Subsection (3) of section 381.79, Florida Statutes, is amended to read:

381.79 Brain and Spinal Cord Injury Program Trust Fund.—

(3) Annually, 5 percent of the revenues deposited monthly in the fund pursuant to s. 318.21(2)(d) shall be appropriated to the University of Florida and 5 percent to the University of Miami for spinal cord injury and brain injury research. The amount to be distributed to the universities shall be calculated based on the deposits into the fund for each quarter in the fiscal year, but may not exceed $500,000 per university per year. Funds distributed under this subsection shall be made in quarterly payments at the end of each quarter during the fiscal year. *This subsection expires June 30, 2009.*

Section 8. Paragraph (h) is added to subsection (4) of section 381.853, Florida Statutes, to read:

381.853 Florida Center for Brain Tumor Research.—

(4) The Florida Center for Brain Tumor Research is established within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida.

(h) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, if the center seeks to conduct biomedical research using state funds, the center shall apply for funding through the James and Esther King Biomedical Research Program pursuant to s. 215.5602.

Section 9. Paragraph (a) of subsection (5) of section 381.855, Florida Statutes, is amended, and paragraphs (n), (o), (p), and (q) are added to subsection (3) of that section, to read:

381.855 Florida Center for Universal Research to Eradicate Disease.—

(3) There is established within the Department of Health the Florida Center for Universal Research to Eradicate Disease, which shall be known as "CURED."

(n) The center shall identify ways to attract new research talent and attendant national grant producing researchers to research facilities in this state.

(o) If funds are specifically appropriated by the Legislature, the center shall disseminate information to Floridians and treatment providers about specified diseases and conditions and available methods of preventing, diagnosing, treating, and curing those diseases and conditions.

(p) The center shall provide information regarding research needs in the state to the Biomedical Research Commission located in the James and Esther King Biomedical Research Program.

(q) The center shall identify ways to attract students from underserved communities for roles as health professionals and researchers.

(5) There is established within the center an advisory council that shall meet at least annually.

(a) The council shall consist of one representative from a Florida not-for-profit institution engaged in basic and clinical biomedical research and education which receives more than $10 million in annual grant funding from the National Institutes of Health, to be appointed by the State Surgeon General from a different institution each term, and one representative from and appointed by each of the following entities:

1. Enterprise Florida, Inc.

2. BioFlorida.

3. The Biomedical Research *Commission* ~~Advisory Council~~.

4. The Florida Medical Foundation.

5. Pharmaceutical Research and Manufacturers of America.

~~6. The Florida Cancer Council.~~

6.~~7.~~ The American Cancer Society, Florida Division, Inc.

7.~~8.~~ The American Heart Association.

8.~~9.~~ The American Lung Association of Florida.

9.~~10.~~ The American Diabetes Association, South Coastal Region.

10.~~11.~~ The Alzheimer's Association.

11.~~12.~~ The Epilepsy Foundation.

12.~~13.~~ The National Parkinson Foundation.

~~14. The Florida Public Health Foundation, Inc.~~

13.~~15.~~ The Florida Research Consortium.

Section 10. Subsections (2), (3), and (4) of section 381.911, Florida Statutes, are amended to read:

381.911 Prostate Cancer Awareness Program.—

(2) For purposes of implementing the program, the Department of Health ~~and the Florida Public Health Foundation, Inc.,~~ may:

(a) Conduct activities directly or enter into a contract with a qualified nonprofit community education entity.

(b) Seek any available gifts, grants, or funds from the state, the Federal Government, philanthropic foundations, and industry or business groups.

(3) A prostate cancer advisory committee is created to advise and assist the Department of Health ~~and the Florida Public Health Foundation, Inc.,~~ in implementing the program.

(a) The State Surgeon General shall appoint the advisory committee members, who shall consist of:

1. Three persons from prostate cancer survivor groups or cancer-related advocacy groups.

2. Three persons who are scientists or clinicians from public universities or research organizations.

3. Three persons who are engaged in the practice of a cancer-related medical specialty from health organizations committed to cancer research and control.

(b) Members shall serve without compensation but are entitled to reimbursement, pursuant to s. 112.061, for per diem and travel expenses incurred in the performance of their official duties.

~~(4) The program shall coordinate its efforts with those of the Florida Public Health Foundation, Inc.~~

Section 11. Section 381.922, Florida Statutes, is 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 goals *that* ~~enumerated in s. 381.921, as those goals~~ support the advancement of such cures.

(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.

(b) For fiscal year 2008-2009, grants shall be awarded by the State Surgeon General, after consultation with the Biomedical Research *Commission* ~~Advisory Council~~, on the basis of scientific merit *through*~~, as determined by~~ an open, competitive peer review process that ensures objectivity, consistency, and high quality.

(c) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the State Surgeon General shall submit to the Legislature by February 1 a priority list for cancer research funding by the Legislature based on the recommendations of the commission after peer review and scoring of the applications received. Recommendations to the Legislature shall be in the form of a list submitted by the State Surgeon General of the commission's rank order of priority from the proposal with the highest priority through the proposal with the lowest priority, including the recommended dollar amount and duration for each proposal. The State Surgeon General may not reject or modify the commission's recommendations. Successful applicants shall be awarded grants by the State Surgeon General based upon the recommendations of the commission and the final funding decision made by the Legislature.

(d) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the commission's overall ranking of grant applications shall be based on the score awarded to the proposal by peer reviewers on the basis of scientific merit through an open competitive peer review process that ensures objectivity, consistency, and high quality and the commission's determination of the following:

1. The projected impact that the proposed research will have on cancer research at the time the grant is awarded;

2. The likelihood or possibility that the proposed research will result in new treatment modalities or technology during the term of the grant; and

3. Whether the research proposed offers an efficient use of state funds in order to prevent or cure cancer.

(e) 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.*(f) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, state funds shall only be provided for research that was applied for, reviewed, and recommended in accordance with this section.*

(g)~~(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 *commission* ~~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 *commission and its committees* ~~council~~ and must be considered in determining which proposals shall be recommended for funding.

(h)~~(c)~~ The *commission, the committees,* ~~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 *commission, a committee,* ~~council~~ or *the* 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 *commission, the committees,* ~~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) Beginning in fiscal year 2006-2007, the sum of $9 million is appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program and shall be distributed pursuant to this section to provide grants to researchers seeking cures for cancer~~, with emphasis given to the goals enumerated in s. 381.921~~. From the total funds appropriated, an amount of up to 10 percent may be used for administrative expenses.

~~(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.~~

(6)~~(8)~~ This section expires *June 30* ~~January 1~~, 2011, unless reviewed and reenacted by the Legislature before that date.

Section 12. Subsection (1) and paragraph (a) of subsection (2) of section 458.324, Florida Statutes, are amended to read:

458.324 Breast cancer; information on treatment alternatives.—

(1) DEFINITION.—As used in this section, the term "medically viable," as applied to treatment alternatives, means modes of treatment generally considered by the medical profession to be within the scope of current, acceptable standards~~, including treatment alternatives described in the written summary prepared by the Florida Cancer Control and Research Advisory Council in accordance with s. 1004.435(4)(m)~~.

(2) COMMUNICATION OF TREATMENT ALTERNATIVES.—Each physician treating a patient who is, or in the judgment of the physician is at high risk of being, diagnosed as having breast cancer shall inform such patient of the medically viable treatment alternatives available to such patient; shall describe such treatment alternatives; and shall explain the relative advantages, disadvantages, and risks associated with the treatment alternatives to the extent deemed necessary to allow the patient to make a prudent decision regarding such treatment options. In compliance with this subsection:

(a) The physician may, in his or her discretion:

1. Orally communicate such information directly to the patient or the patient's legal representative;

2. Provide the patient or the patient's legal representative with a copy of *a* ~~the~~ written summary ~~prepared in accordance with s. 1004.435(4)(m)~~ and express a willingness to discuss the summary with the patient or the patient's legal representative; or

3. Both communicate such information directly and provide a copy of the written summary to the patient or the patient's legal representative for further consideration and possible later discussion.

Nothing in this subsection shall reduce other provisions of law regarding informed consent.

Section 13. Subsection (1) and paragraph (a) of subsection (2) of section 459.0125, Florida Statutes, are amended to read:

459.0125 Breast cancer; information on treatment alternatives.—

(1) DEFINITION.—As used in this section, the term "medically viable," as applied to treatment alternatives, means modes of treatment generally considered by the medical profession to be within the scope of current, acceptable standards~~, including treatment alternatives described in the written summary prepared by the Florida Cancer Control and Research Advisory Council in accordance with s. 1004.435(4)(m)~~.

(2) COMMUNICATION OF TREATMENT ALTERNATIVES.—It is the obligation of every physician treating a patient who is, or in the judgment of the physician is at high risk of being, diagnosed as having breast cancer to inform such patient of the medically viable treatment alternatives available to such patient; to describe such treatment alternatives; and to explain the relative advantages, disadvantages, and risks associated with the treatment alternatives to the extent deemed necessary to allow the patient to make a prudent decision regarding such treatment options. In compliance with this subsection:

(a) The physician may, in her or his discretion:

1. Orally communicate such information directly to the patient or the patient's legal representative;

2. Provide the patient or the patient's legal representative with a copy of *a* ~~the~~ written summary ~~prepared in accordance with s. 1004.435(4)(m)~~ and express her or his willingness to discuss the summary with the patient or the patient's legal representative; or

3. Both communicate such information directly and provide a copy of the written summary to the patient or the patient's legal representative for further consideration and possible later discussion.

Nothing in this subsection shall reduce other provisions of law regarding informed consent.

Section 15. *Sections 381.0404, 381.85, 381.895, 381.912, 381.92, 381.921, and 1004.435, Florida Statutes, are repealed.*

Section 16. *If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.*

Section 17. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; limiting application of the environmental health program of the Department of Health to state institutions for the mentally ill rather than all institutions used for the

incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; amending s. 381.98, F.S.; changing the name of the Florida Public Health Foundation, Inc., to the Florida Public Health Institute, Inc.; providing that the purpose of the institute is to advance the knowledge and practice of public health, including promoting health awareness in this state; providing for the objectives of the institute; requiring that the institute be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code; providing for the duties of the institute; providing that affairs of the institute be managed by an executive director appointed by a board of directors; providing for membership on the board of directors; requiring the institute to present an annual report concerning its activities and finances to the Governor, the President of the Senate, and the Speaker of the House of Representatives; amending s. 20.435, F.S.; specifying use of funds deposited in the Biomedical Research Trust Fund; revising a time limit relating to certain undisbursed balances of appropriations from the trust fund; amending s. 215.5601, F.S.; conforming a cross-reference; amending s. 215.5602, F.S.; revising the purposes and long-term goals of the James and Esther King Biomedical Research Program; providing for certain funds appropriated for the program to be deposited into the Biomedical Research Trust Fund; specifying use of such funds; renaming the Biomedical Research Advisory Council the Biomedical Research Commission; revising membership of the commission; providing that the commission serves as an exclusive source of biomedical research grant and fellowship awards; requiring the commission to create committees for specified purposes; requiring the commission to adopt policies and procedures regarding the committees and to receive input from outside sources; revising responsibilities of the commission; creating a future requirement for the commission to submit priorities for funding research relating to tobacco-related and nontobacco-related diseases to the State Surgeon General; requiring the State Surgeon General to provide commission funding priorities to the Legislature; providing restrictions on the State Surgeon General; providing criteria for ranking priorities; authorizing the State Surgeon General to award grants or fellowships; providing for the award of grants or fellowships upon a specific appropriation; prohibiting the funding of research projects not in compliance with the requirements of the section; providing restrictions on the recommendation or award of grants or fellowships by other programs and entities; providing for future reductions of limits on annual administrative expenses; revising requirements relating to the commission's annual progress report; providing a future expiration date for the commission to award grants for the Bankhead-Coley Program; revising provisions relating to appropriations; providing for nonapplicability of James and Esther King Biomedical Research Program requirements to specified programs and the use of certain operating funds appropriated to universities; extending the expiration date of the program; amending s. 381.79, F.S.; providing for the expiration of a provision relating to the distribution of funds from the Brain and Spinal Cord Injury Program Trust Fund; amending s. 381.853, F.S.; providing a requirement for the Florida Center for Brain Tumor Research relating to the use of state funds for biomedical research; amending s. 381.855, F.S.; providing additional program functions for the Florida Center for Universal Research to Eradicate Disease; requiring the center to disseminate certain information if an appropriation is made; requiring the center to identify ways to attract students from underserved communities for roles as health professionals and researchers; conforming references to changes made by the act; amending s. 381.911, F.S.; conforming references to changes made by the act; amending s. 381.922, F.S., relating to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; creating a future requirement for the commission to submit priorities for funding cancer research to the State Surgeon General; requiring the State Surgeon General to provide commission funding priorities to the Legislature; providing restrictions on the State Surgeon General; providing criteria for ranking priorities; authorizing the State Surgeon General to award grants; providing for the award of grants upon a specific appropriation; prohibiting the funding of research projects not in compliance with the requirements of the section; conforming references to changes made by the act; revising process and provisions relating to future peer review of grant applications to conform to the changes to the biomedical research program made by the act; deleting a provision requiring the Division of Statutory Revision within the Office of Legislative Services to certify certain language and citations related to the program; deleting a provision requiring future legislative review of the program; revising the expiration date of the program; amending ss. 458.324 and 459.0125, F.S.; conforming references to changes made by the act; repealing s. 381.0404, F.S., relating to the Center for Health Technologies; repealing s. 381.85, F.S., relating to biomedical and social research; repealing s. 381.895, F.S., relating to relating to standards for compressed air used for recreational diving; repealing s. 381.912, F.S., relating to the Cervical Cancer Elimination Task Force; repealing s. 381.92, F.S., relating to the Florida Cancer Council; repealing s. 381.921, F.S., relating to the Florida Cancer Council; repealing s. 1004.435, F.S., relating to cancer control and research; providing for severability; providing an effective date.

Senator Peaden moved the following amendment which was adopted:

Senate Amendment 1 (353396) (with title amendment) to House Amendment 1—Delete lines 164-888 and insert:

Section 4. Subsection (2) of section 408.0361, Florida Statutes, is amended to read:

408.0361 Cardiovascular services and burn unit licensure.—

(2) Each provider of adult cardiovascular services or operator of a burn unit shall comply with rules adopted by the agency that establish licensure standards that govern the provision of adult cardiovascular services or the operation of a burn unit. Such rules shall consider, at a minimum, staffing, equipment, physical plant, operating protocols, the provision of services to Medicaid and charity care patients, accreditation, licensure period and fees, and enforcement of minimum standards. The certificate-of-need rules for adult cardiovascular services and burn units in effect on June 30, 2004, are authorized pursuant to this subsection and shall remain in effect and shall be enforceable by the agency until the licensure rules are adopted. Existing providers and any provider with a notice of intent to grant a certificate of need or a final order of the agency granting a certificate of need for adult cardiovascular services or burn units shall be considered grandfathered and receive a license for their programs effective on the effective date of this act. The grandfathered licensure shall be for at least 3 years or until July 1, *2010* ~~2008~~, whichever is longer, but shall be required to meet licensure standards applicable to existing programs for every subsequent licensure period.

Section 5. *Section 381.85, Florida Statutes, is repealed.*

Section 6. *Section 381.895, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete lines 919-998 and insert: amending s. 408.0361, F.S.; extending the period of validity for certain grandfathered licenses for adult cardiovascular services; repealing s. 381.85, F.S., relating to the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an

Senator Bennett moved the following amendment which was adopted:

Senate Amendment 2 (843570) (with title amendment) to House Amendment 1—Between line(s) 882 and 883 insert:

Section 15. *(1) The Department of Health is directed to convene a workgroup of all insurers licensed under chapter 627, Florida Statutes, and all health maintenance organizations licensed under chapter 641, Florida Statutes, for the purpose of overseeing industry negotiations of a compact providing uniform minimum industry standards related to cancer clinical trials. The compact shall include:*

(a) Coverage for patients undergoing cancer clinical trials for services that would have otherwise been covered by the health insurer or health maintenance organization absent the policyholder being involved in a clinical trial.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage will be provided to a policyholder for covered services incidental to cancer clinical trials.

(c) Penalties for documented cases of the denial of claims for covered services provided incidental to cancer clinical trials.

(2) Upon completion of industry negotiations, the department shall submit a report on the results of such negotiations to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Upon submission of the report, the workgroup shall dissolve.

(3) "Covered services provided incidental to cancer clinical trials" means health care.

And the title is amended as follows:

On line(s) 98, after the first semicolon (;) insert: requiring the Department of Health to convene a workgroup of insurers and health maintenance organizations to oversee industry negotiations of a compact relating to insurance coverage and cancer clinical trials; requiring that the compact contain certain components; requiring a report of the results of such negotiations to the Governor and the Legislature upon completion of the negotiations; providing for dissolution of the workgroup; defining "covered services provided incidental to cancer clinical trials";

On motion by Senator Jones, the Senate concurred in **House Amendment 1** as amended and requested the House to concur in the Senate amendments to the House amendment.

CS for SB 2618 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has returned as requested CS for CS for SB 2082.

William S. Pittman III, Chief Clerk

CS for CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term "annuity" and defining the term "life insurance contract"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the Department of Financial Services, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the Financial Services Commission to adopt rules; providing an effective date for such rulemaking authority; providing for applicability of such rules; providing an effective date.

RECONSIDERATION OF BILL

On motion by Senator Bennett, the Senate reconsidered the vote by which **CS for CS for SB 2082** passed April 23.

Senator Bennett moved the following amendment:

Amendment 1 (593426)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the "John and Patricia Seibel Act."*

Section 2. Paragraph (a) of subsection (2) of section 626.171, Florida Statutes, is amended to read:

626.171 Application for license as an agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary.—

(2) In the application, the applicant shall set forth:

(a) His or her full name, age, social security number, residence address, business address, ~~and~~ mailing address*, contact telephone numbers, including a business telephone number, and e-mail address*.

However, the application must contain a statement that an applicant is not required to disclose his or her race or ethnicity, gender, or native language, that he or she will not be penalized for not doing so, and that the department will use this information exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

Section 3. Paragraph (k) is added to subsection (3) of section 626.2815, Florida Statutes, 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. A licensee may use the hours obtained under this paragraph to satisfy the requirement for continuing education in ethics under paragraph (a).

Section 4. Section 626.551, Florida Statutes, is amended to read:

626.551 Notice of change of address, name.—Every licensee shall notify the department in writing within 60 days after a change of name, residence address, principal business street address, ~~or~~ mailing address*, contact telephone numbers, including a business telephone number, or e-mail address*. *A* ~~Any~~ licensed agent who has moved his or her residence from this state shall have his or her license and all appointments immediately terminated by the department. Failure to notify the department within the required time period shall result in a fine not to exceed $250 for the first offense and, for subsequent offenses, a fine of *at least* ~~not less than~~ $500 or suspension or revocation of the license pursuant to s. 626.611 or s. 626.621.

Section 5. Section 626.9521, Florida Statutes, is amended to read:

626.9521 Unfair methods of competition and unfair or deceptive acts or practices prohibited; penalties.—

(1) No person shall engage in this state in any trade practice which is defined in this part as, or determined pursuant to s. 626.951 or s. 626.9561 to be, an unfair method of competition or an unfair or deceptive act or practice involving the business of insurance.

(2) *Except as provided in subsection (3),* any person who violates any provision of this part *is* ~~shall be~~ subject to a fine in an amount not greater than $2,500 for each nonwillful violation and not greater than $20,000 for each willful violation. Fines under this subsection may not exceed an aggregate amount of $10,000 for all nonwillful violations arising out of the same action or an aggregate amount of $100,000 for all willful violations arising out of the same action. The fines ~~authorized by this subsection~~ may be imposed in addition to any other applicable penalty.

(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 $30,000 shall be imposed for each willful violation. To impose 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 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 $30,000 shall be imposed for each willful violation.

(c) Administrative fines under this subsection may not exceed an aggregate amount of $50,000 for all nonwillful violations arising out of the same action or an aggregate amount of $250,000 for all willful violations arising out of the same action.

Section 6. *Any increase in the fines imposed under s. 626.9521, Florida Statutes, which exceeds the increase provided by this act shall supersede the amendments made to that section by this act if such increase is enacted during the 2008 legislative session and becomes law, and the amendments to s. 626.9521, Florida Statutes, made by this act shall not take effect.*

Section 7. Paragraph (aa) of subsection (1) of section 626.9541, Florida Statutes, is amended, and paragraphs (ee) and (ff) are added to that subsection, 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:

(aa) Churning.—

1. Churning is the practice whereby policy values in an existing life insurance policy or annuity contract, including, but not limited to, cash, loan values, or dividend values, and in any riders to that policy or contract, are *directly or indirectly used* ~~utilized~~ to purchase another insurance policy or annuity contract with that same insurer for the purpose of earning additional premiums, fees, commissions, or other compensation:

a. Without an objectively reasonable basis for believing that the replacement or extraction will result in an actual and demonstrable benefit to the policyholder;

b. In a fashion that is fraudulent, deceptive, or otherwise misleading or that involves a deceptive omission;

c. When the applicant is not informed that the policy values including cash values, dividends, and other assets of the existing policy or contract will be reduced, forfeited, or *used* ~~utilized~~ in the purchase of the replacing or additional policy or contract, if this is the case; or

d. Without informing the applicant that the replacing or additional policy or contract will not be a paid-up policy or that additional premiums will be due, if this is the case.

Churning by an insurer or an agent is an unfair method of competition and an unfair or deceptive act or practice.

2. Each insurer shall comply with sub-subparagraphs 1.c. and 1.d. by disclosing to the applicant at the time of the offer on a form designed and adopted by rule by the commission if, how, and the extent to which the policy or contract values (including cash value, dividends, and other assets) of a previously issued policy or contract will be used to purchase a replacing or additional policy or contract with the same insurer. The form *must* ~~shall~~ include disclosure of the premium, the death benefit of the proposed replacing or additional policy, and the date when the policy values of the existing policy or contract will be insufficient to pay the premiums of the replacing or additional policy or contract.

3. Each insurer shall adopt written procedures to reasonably avoid churning of policies or contracts that it has issued, and failure to adopt written procedures sufficient to reasonably avoid churning shall be an unfair method of competition and an unfair or deceptive act or practice.

(ee) Fraudulent signatures on an application or policy-related document.—Willfully submitting to an insurer on behalf of a consumer an insurance application or policy-related document bearing a false or fraudulent signature.

(ff) Unlawful use of designations; misrepresentation of agent qualifications.—

1. A licensee may not, in any sales presentation or solicitation for insurance, use a designation or title in such a way as to falsely imply that the licensee:

a. Possesses special financial knowledge or has obtained specialized financial training; or

b. Is certified or qualified to provide specialized financial advice to senior citizens.

2. A licensee may not use terms such as "financial advisor" in such a way as to falsely imply that the licensee is licensed or qualified to discuss, sell, or recommend financial products other than insurance products.

3. A licensee may not, in any sales presentation or solicitation for insurance, falsely imply that he or she is qualified to discuss, recommend, or sell securities or other investment products in addition to insurance products.

4. A licensee who also holds a designation as a certified financial planner (CFP), chartered life underwriter (CLU), chartered financial consultant (ChFC), life underwriter training council fellow (LUTC), or the appropriate license to sell securities from the Financial Industry Regulatory Authority (FINRA) may inform the customer of those licenses or designations and make recommendations in accordance with those licenses or designations, and in so doing does not violate this paragraph.

Section 8. Paragraph (a) of 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* ~~any~~ applicant's initial premium or premium deposit, unless the policy for which application is made *provides* ~~contains a provision for~~ an unconditional refund for a period of at least *14* ~~10~~ days, or unless the policy summary contains an offer of such an unconditional refund, in which event the buyer's guide and policy summary must be delivered with the policy or prior to delivery of the policy. With respect to ~~fixed~~ 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* ~~shall contain a provision for~~ an unconditional refund for a period of at least *14* ~~10~~ days.

Section 9. Section 627.4554, Florida Statutes, is amended to read:

627.4554 Annuity investments by seniors.—

(1) PURPOSE; CONSTRUCTION.—

(a) The purpose of this section is to set forth standards and procedures for *making* recommendations to senior consumers which result in a transaction involving annuity products to appropriately address the insurance needs and financial objectives of senior consumers at the time of the transaction.

(b) *A violation of* ~~Nothing in~~ this section *does not* ~~shall be construed to~~ create or imply a private cause of action ~~for a violation of this section~~.

(c) Nothing in this section shall subject an insurer to criminal or civil liability for the acts of independent individuals not affiliated with that insurer for selling its products, when such sales are made in a way not authorized by the insurer.

(2) APPLICATION.—This section applies to any recommendation to purchase or exchange an annuity made to a senior consumer by an insurance agent, or an insurer where no agent is involved*, and which*~~,~~ ~~that~~ results in the purchase or exchange recommended.

(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) "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.

(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.

(4) DUTIES OF INSURERS AND INSURANCE AGENTS.—

(a) In recommending to a senior consumer the purchase *or exchange* of an annuity *that* ~~or the exchange of an annuity that~~ results in another insurance transaction or series of insurance transactions, an insurance agent, or an insurer if no insurance agent is involved, *must* ~~shall~~ have *an objectively* reasonable *basis* ~~grounds~~ for believing that the recommendation is suitable for the senior consumer *based* on ~~the basis of~~ the facts disclosed by the senior consumer as to his or her investments and other insurance products and as to his or her financial situation and needs.

(b) Before executing a purchase or exchange of an annuity resulting from a recommendation to a senior consumer, an insurance agent, or an insurer if no insurance agent is involved, shall make reasonable efforts to obtain information concerning the *suitability of* ~~senior consumer's financial status, tax status, and investment objectives and such other information used or considered to be reasonable by the insurance agent, or the insurer if no agent is involved, in making~~ the recommendation. *The information shall include, at a minimum:*

1. Personal information, including the age and sex of the parties to the annuity and the ages and number of any dependents;

2. Tax status of the consumer;

3. Investment objectives of the consumer;

4. The source of the funds to be used to purchase the annuity;

5. The applicant's annual income;

6. Intended use of the annuity;

7. The applicant's existing assets, including investment holdings;

8. The applicant's liquid net worth and liquidity needs;

9. The applicant's financial situation and needs;

10. The applicant's risk tolerance; and

11. Such other information used or considered to be relevant by the insurance agent or insurer in making recommendations to the consumer regarding the purchase or exchange of an annuity contract.

This information shall be collected on a form adopted by rule by the department and completed and signed by the applicant and agent. Questions requesting this information must be presented in at least 12-point type and be sufficiently clear so as to be readily understandable by both the agent and the consumer. A true and correct executed copy of the form shall be provided by the agent to the insurer, or the third party that has contracted with such insurer pursuant to subparagraph (f)3., within 10 days after execution of the form, and shall be provided to the consumer no later than the date of delivery of the contract or contracts.

(c)1. Except as provided under subparagraph 2., an insurance agent, or an insurer if no insurance agent is involved, *has no* ~~shall not have any~~ obligation to a senior consumer under paragraph (a) related to any recommendation if the senior consumer:

a. Refuses to provide relevant information requested by the insurer or insurance agent;

b. Decides to enter into an insurance transaction that is not based on a recommendation of the insurer or insurance agent; or

c. Fails to provide complete or accurate information.

2. An insurer or insurance agent's recommendation subject to subparagraph 1. shall be *objectively* reasonable under all the circumstances actually known to the insurer or insurance agent at the time of the recommendation.

3. If the consumer refuses to provide relevant information requested by the insurance agent or insurer, before the execution of the sale the insurance agent or insurer shall obtain a signed verification from the senior consumer on a form adopted by rule by the department that he or she refuses to provide the requested information and may be limiting protections afforded by this section regarding the suitability of the sale.

(d) In addition to the information required by paragraph (b), before the execution of a replacement or exchange of an annuity contract resulting from a recommendation, the insurance agent shall also provide, on a form adopted by rule by the department, information concerning differences between each existing annuity contract and the annuity contract being recommended in order to determine the suitability of the recommendation and its benefit to the consumer. A true and correct executed copy of this form shall be provided by the agent to the insurer, or the third party that has contracted with such insurer pursuant to subparagraph (f)3., within 10 days after execution of the form, and shall be provided to the consumer no later than the date of delivery of the contract or contracts. The information shall include, at a minimum:

1. A comparison of the benefits, terms, and limitations between the annuity contracts.

2. A comparison of any fees and charges between the annuity contracts.

3. A written basis for the recommended exchange, including the overall advantages and disadvantages to the consumer if the recommendation is followed.

4. Such other information used or considered to be relevant by the insurance agent or the insurer in making recommendations to the consumer regarding the replacement or exchange of an annuity contract.

(e) Prior to the execution of a purchase or exchange of an annuity contract resulting from a recommendation, an agent shall also disclose to the consumer that such purchase or exchange may have tax consequences and that the applicant should contact his or her tax advisor for more information.

(f)~~(d)~~1. An insurer or insurance agent *must* ~~shall~~ ensure that a system to supervise recommendations*,* which is reasonably designed to achieve compliance with this section*,* is established and maintained by complying with subparagraphs 3., 4., and 5., or shall establish and maintain such a system, including, but not limited to:

a. Maintaining written procedures.

b. Conducting periodic reviews of its records that are reasonably designed to assist in detecting and preventing violations of this section.

2. A managing general agent and an insurance agency shall adopt a system established by an insurer to supervise recommendations of its insurance agents which is reasonably designed to achieve compliance with this section or shall establish and maintain such a system, including, but not limited to:

a. Maintaining written procedures.

b. Conducting periodic reviews of records that are reasonably designed to assist in detecting and preventing violations of this section.

3. An insurer may contract with a third party, including a managing general agent or an insurance agency, to establish and maintain a system of supervision as required by subparagraph 1. with respect to insurance agents under contract with or employed by the third party.

4. An insurer shall make reasonable inquiry to ensure that such third party contracting under subparagraph 3. is performing the functions required under subparagraph 1. and shall take such action as is reasonable under the circumstances to enforce the contractual obligation to perform the functions. An insurer may comply with its obligation to make reasonable inquiry by:

a. Annually obtaining a certification from a third party senior manager who has responsibility for the delegated functions that the manager has a reasonable basis to represent, and does represent, that the third party is performing the required functions.

b. Based on reasonable selection criteria, periodically selecting third parties contracting under subparagraph 3. for a review to determine whether the third parties are performing the required functions. The insurer shall perform any procedures necessary to conduct the review which are reasonable under the circumstances.

5. An insurer that contracts with a third party pursuant to subparagraph 3. and complies with the requirements specified in subparagraph 4. is deemed to have fulfilled its responsibilities under subparagraph 1.

6. An insurer, managing general agent, or insurance agency is not required by subparagraph 1. or subparagraph 2. to:

a. Review or provide for review of all transactions solicited by an insurance agent; or

b. Include in its system of supervision an insurance agent's recommendations to senior consumers of products other than the annuities offered by the insurer, managing general agent, or insurance agency.

7. A managing general agent or insurance agency contracting with an insurer pursuant to subparagraph 3. shall promptly, when requested by the insurer pursuant to subparagraph 4., provide a certification as described in subparagraph 4. or provide a clear statement that the managing general agent or insurance agency is unable to meet the certification criteria.

8. A person may not provide a certification under sub-subparagraph 4.a. unless the person is a senior manager with responsibility for the delegated functions and has a reasonable basis for making the certification.

(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 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) 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.

(6) RECORDKEEPING.—

(a) Insurers, managing general agents, insurance agencies, and insurance agents shall maintain or ~~be able to~~ make available *from the entity or entities responsible for maintaining the records pursuant to paragraph (4)(f),* to the department or office, as appropriate, records of the information collected from the senior consumer and other information used in making the recommendations that were the basis for insurance transactions for 5 years after the insurance transaction is completed by the insurer. An insurer is permitted, but shall not be required, to maintain documentation on behalf of an insurance agent.

(b) Records required to be maintained by this *subsection* ~~regulation~~ may be maintained in paper, photographic, microprocess, magnetic, mechanical, or electronic media, or by any process that accurately reproduces the actual document.

(7) EXEMPTIONS.—Unless otherwise specifically included, this section does not apply to recommendations involving:

(a) Direct-response solicitations where there is no recommendation based on information collected from the senior consumer pursuant to this section.

(b) Contracts used to fund:

1. An employee pension or welfare benefit plan that is covered by the Employee Retirement and Income Security Act;

2. A plan described by s. 401(a), s. 401(k), s. 403(b), s. 408(k), or s. 408(p) of the Internal Revenue Code of 1986, as amended, if established or maintained by an employer;

3. A government or church plan defined in s. 414 of the Internal Revenue Code of 1986, as amended, a government or church welfare benefit plan, or a deferred compensation plan of a state or local government or tax-exempt organization under s. 457 of the Internal Revenue Code of 1986, as amended;

4. A nonqualified deferred compensation arrangement established or maintained by an employer or plan sponsor;

5. Settlements of or assumptions of liabilities associated with personal injury litigation or any dispute or claim resolution process; or

6. Prepaid funeral contracts.

(8) APPLICATION TO ~~VARIABLE~~ ANNUITIES.—*Any person who is registered with a member of the Financial Industry Regulatory Authority, who is required to make a suitability determination, and who makes and documents such determination is deemed to* ~~Compliance with the National Association of Securities Dealers Conduct Rules in effect on January 1, 2004, shall~~ satisfy the requirements under this section for the recommendation of ~~variable~~ annuities. This section does not limit the department's ability to enforce the provisions of this section with respect to insurance agents, insurance agencies, and managing general agents, or the office's ability to enforce the provisions of this section with respect to insurers.

(9) RULES.—The department and commission may adopt rules to administer this section.

Section 10. Effective only if Senate Bill 648, adopted during the 2008 Regular Session of the Legislature, becomes a law, paragraph (d) is added to subsection (2) of section 627.551, Florida Statutes, to read:

627.551 Group contracts and plans of self-insurance must meet group requirements.—

(2) Subsection (1) does not apply to life insurance policies or plans of self-insurance:

(a) Insuring or providing benefits only to individuals related by blood, marriage, or legal adoption.

(b) Insuring or providing benefits only to individuals who have a common interest through ownership of a business enterprise, or a substantial legal interest or equity therein, and who are actively engaged in the management of the business enterprise.

(c) Insuring or providing benefits only to individuals otherwise having an insurable interest in each other's lives.

(d) Insuring or providing benefits pursuant to s. 627.404(2)(b)8. or 9.

Section 11. Section 627.805, Florida Statutes, is amended to read:

627.805 Regulation of variable and indeterminate value contracts; rules.—The *Department of Financial Services and the Office of Insurance Regulation* ~~office, notwithstanding any other provision of law,~~ shall ~~have the sole authority to~~ regulate the issuance and sale of variable and indeterminate value contracts *pursuant to their respective authority as conferred by state law. The Office of Financial Regulation shall regulate the sale of variable and indeterminate value contracts pursuant to its authority under chapter 517. The Department of Financial Services and, when applicable, the Financial Services Commission, may*~~, and the commission has authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to implement ~~the provisions of~~ this part.

Section 12. *Effective upon this act becoming a law, the Department of Financial Services may adopt rules to implement this act. Section 9 of this act and such implementing rules shall take effect 60 days after the date on which the final rule is adopted or January 1, 2009, whichever is later.*

Section 13. 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, 2009.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her contact and business telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in contact or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing for administrative fines and criminal penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; limiting the aggregate amounts of fines; providing for other administrative fines to supersede the administrative fines and penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the willful submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; revising the regulation of recommendations relating to the sale of annuities to senior consumers; redefining the term "annuity"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an annuity; requiring an agent to provide information about any surrender charges and tax consequences; exempting certain persons from compliance with certain separate suitability determinations under certain circumstances; authorizing the department and Financial Services Commission to adopt rules; amending s. 627.551, F.S.; expanding the list of life insurance policies and plans of self-insurance that are exempt from certain provisions of state law; providing for contingent effect; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the department, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the commission to adopt rules; providing an effective date for such rulemaking authority; providing for applicability of such rules; providing effective dates.

Senator Bennett moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

Amendment 1A (553694)—Delete line(s) 81 and insert: *related document, the person commits a felony of the third*

Amendment 1 as amended was adopted by two-thirds vote.

On motion by Senator Bennett, **CS for CS for SB 2082** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has returned as requested CS for HB 197.

William S. Pittman III, Chief Clerk

CS for HB 197—A bill to be entitled An act relating to pest control; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; providing an effective date.

RECONSIDERATION OF BILL

On motion by Senator Dean, the Senate reconsidered the vote by which **CS for HB 197** as amended passed May 1.

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

Amendment 5 (148310)(with title amendment)—Delete line(s) 474 and insert:

Section 2. Subsection (4) of section 163.3162, Florida Statutes, is amended to read:

163.3162 Agricultural Lands and Practices Act.—

(4) DUPLICATION OF REGULATION.—Except as otherwise provided in this section and s. 487.051(2), and notwithstanding any other law, including any provision of chapter 125 or this chapter, a county may not exercise any of its powers to adopt any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such activity is regulated through implemented best management practices, interim measures, or regulations developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district and adopted *by rule* ~~under chapter 120~~ as part of a statewide or regional program; or if such activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency. *A county may not impose an assessment or fee for stormwater management on land classified as agricultural under s. 193.461 if the agricultural operation has an agricultural discharge permit, an environmental resource permit, or implements best management practices developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district and adopted by rule as part of a statewide or regional program unless the assessment or fee provides water quality treatment or flood control benefits to the agricultural land or agricultural operation and the assessment or fee provides credits for the water quality treatment and flood control benefits provided by the implementation of agricultural stormwater controls, permits, or the best management practices.*

(a) *If* ~~When~~ an activity of a farm operation takes place within a wellfield protection area as defined in any wellfield protection ordinance adopted by a county, and the implemented best management practice, regulation, or interim measure does not specifically address wellfield protection, a county may regulate that activity pursuant to such ordinance. This subsection does not limit the powers and duties provided ~~for~~ in s. 373.4592 or limit the powers and duties of any county to address an emergency as provided ~~for~~ in chapter 252.

(b) This subsection may not be construed to permit an existing farm operation to change to a more excessive farm operation with regard to traffic, noise, odor, dust, or fumes where the existing farm operation is adjacent to an established homestead or business on March 15, 1982.

(c) This subsection does not limit the powers of a predominantly urbanized county with a population greater than 1,500,000 and more than 25 municipalities, not operating under a home rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII of the Constitution of 1885, as preserved by s. 6(e), Art. VIII of the Constitution of 1968, which has a delegated pollution control program under s. 403.182 and includes drainage basins that are part of the Everglades Stormwater Program, to enact ordinances, regulations, or other measures to comply with the provisions of s. 373.4592, or which are necessary to carrying out a county's duties pursuant to the terms and conditions of any environmental program delegated to the county by agreement with a state agency.

(d) For purposes of this subsection, a county ordinance that regulates the transportation or land application of domestic wastewater residuals or other forms of sewage sludge *may* ~~shall~~ not be deemed to be duplication of regulation.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S.; establishing the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; amending s. 163.3162, F.S.; prohibiting a county from imposing an assessment or fee on certain agricultural lands; providing an exception;

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

Amendment 6 (129782)(with title amendments)—Delete line(s) 474 and insert:

Section 2. Subsection (1) of section 205.064, Florida Statutes, is amended to read:

205.064 Farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, and tropical fish farm products; certain exemptions.—

(1) A local business tax receipt is not required of any ~~natural~~ person for the privilege of engaging in the selling of farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, or tropical fish farm products, or products manufactured therefrom, except intoxicating liquors, wine, or beer, when such products were grown or produced by such ~~natural~~ person in the state.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction

and severability; amending s. 205.064, F.S.; expanding the applicability of an exemption from a local business tax receipt for the privilege of selling specified products;

On motion by Senator Dean, **CS for HB 197** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Haridopolos	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 302, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

SB 302—A bill to be entitled An act relating to the indecent wearing of below-waist underwear; prohibiting a student from exposing below-waist underwear in a specified manner while on the grounds of a public school; providing penalties; providing an effective date.

House Amendment 1 (407095)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) of section 1001.43, Florida Statutes, is amended to read:

1001.43 Supplemental powers and duties of district school board.—The district school board may exercise the following supplemental powers and duties as authorized by this code or State Board of Education rule.

(1) STUDENT MANAGEMENT.—The district school board may adopt programs and policies to ensure the safety and welfare of individuals, the student body, and school personnel, which programs and policies may:

(b) Require uniforms to be worn by the student body, or impose other dress-related requirements, if the district school board finds that those requirements are necessary for the safety or welfare of the student body or school personnel. However, students may wear sunglasses, hats, or other sun-protective wear while outdoors during school hours, such as when students are at recess. *Criteria and instructions for school uniform dress codes shall be set by a committee established by the district school board.*

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to management of public school students; amending s. 1001.43, F.S.; providing that criteria and instructions for school uniform dress codes shall be set by district school boards; providing an effective date.

On motion by Senator Siplin, the Senate refused to concur in the House amendment to **SB 302** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1652, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing that the immediate termination of a charter is exempt from requirements for an informal hearing or for a hearing under ch. 120, F.S.; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; revising the requirements for providing information to the public on how to form and operate a charter school; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

House Amendment 1 (784459)(with title amendment)—Remove lines 96-1316 and insert: local governmental entities, charter schools, *charter technical career centers,* and district school boards must include, but are not limited to, requirements for the reporting of information necessary to carry out the purposes of the Local Governmental Entity, Charter School, *Charter Technical Career Center,* and District School Board Financial Emergencies Act as stated in s. 218.501.

Section 2. Section 218.50, Florida Statutes, is amended to read:

218.50 Short title.—Sections 218.50-218.504 may be cited as the "Local Governmental Entity, Charter School, *Charter Technical Career Center,* and District School Board Financial Emergencies Act."

Section 3. Section 218.501, Florida Statutes, is amended to read:

218.501 Purposes.—The purposes of ss. 218.50-218.504 are:

(1) To promote the fiscal responsibility of local governmental entities, charter schools, *charter technical career centers,* and district school boards.

(2) To assist local governmental entities, charter schools, *charter technical career centers,* and district school boards in providing essential services without interruption and in meeting their financial obligations.

(3) To assist local governmental entities, charter schools, *charter technical career centers,* and district school boards through the improvement of local financial management procedures.

Section 4. Subsections (1), (2), and (4) of section 218.503, Florida Statutes, are amended to read:

218.503 Determination of financial emergency.—

(1) Local governmental entities, charter schools, *charter technical career centers,* and district school boards shall be subject to review and oversight by the Governor, *the* charter school sponsor, *the charter technical career center sponsor,* or the Commissioner of Education, as appropriate, when any one of the following conditions occurs:

(a) Failure within the same fiscal year in which due to pay short-term loans or failure to make bond debt service or other long-term debt payments when due, as a result of a lack of funds.

(b) Failure to pay uncontested claims from creditors within 90 days after the claim is presented, as a result of a lack of funds.

(c) Failure to transfer at the appropriate time, due to lack of funds:

1. Taxes withheld on the income of employees; or

2. Employer and employee contributions for:

a. Federal social security; or

b. Any pension, retirement, or benefit plan of an employee.

(d) Failure for one pay period to pay, due to lack of funds:

1. Wages and salaries owed to employees; or

2. Retirement benefits owed to former employees.

(e) An unreserved or total fund balance or retained earnings deficit, or unrestricted or total net assets deficit, as reported on the balance sheet or statement of net assets on the general purpose or fund financial statements, for which sufficient resources of the local governmental entity, as reported on the balance sheet or statement of net assets on the general purpose or fund financial statements, are not available to cover the deficit. Resources available to cover reported deficits include net assets that are not otherwise restricted by federal, state, or local laws, bond covenants, contractual agreements, or other legal constraints. Fixed or capital assets, the disposal of which would impair the ability of a local governmental entity to carry out its functions, are not considered resources available to cover reported deficits.

(2) A local governmental entity shall notify the Governor and the Legislative Auditing Committee, a charter school shall notify the charter school sponsor and the Legislative Auditing Committee, *a charter technical career center shall notify the charter technical career center sponsor and the Legislative Auditing Committee,* and a district school board shall notify the Commissioner of Education and the Legislative Auditing Committee, when one or more of the conditions specified in subsection (1) have occurred or will occur if action is not taken to assist the local governmental entity, charter school, *charter technical career center,* or district school board. In addition, any state agency must, within 30 days after a determination that one or more of the conditions specified in subsection (1) have occurred or will occur if action is not taken to assist the local governmental entity, charter school, *charter technical career center,* or district school board, notify the Governor, charter school sponsor, *charter technical career center sponsor,* or the Commissioner of Education, as appropriate, and the Legislative Auditing Committee.

(4)*(a)* Upon notification that one or more of the conditions in subsection (1) exist, the charter school sponsor or the sponsor's designee *and the Commissioner of Education* shall contact the charter school governing body to determine what actions have been taken by the charter school governing

body to resolve the condition. *If one or more of the conditions in paragraphs (1)(a)-(d) exist,* the *Commissioner of Education may* ~~charter school sponsor has the authority to~~ require and approve a financial recovery plan, to be prepared by the charter school governing body, prescribing actions that will cause the charter school to no longer be subject to this section. ~~The Department of Education shall establish guidelines for developing such plans.~~

(b) Upon notification that one or more of the conditions in subsection (1) exist, the charter technical career center sponsor or the sponsor's designee and the Commissioner of Education shall contact the charter technical career center governing body to determine what actions have been taken by the charter technical career center governing body to resolve the condition. If one or more of the conditions in paragraphs (1)(a)-(d) exist, the Commissioner of Education may require and approve a financial recovery plan, to be prepared by the charter technical career center governing body, prescribing actions that will cause the charter technical career center to no longer be subject to this section.

(c) The Commissioner of Education shall determine if the charter school or charter technical career center needs a financial recovery plan to resolve a condition in paragraphs (1)(a)-(d). If the Commissioner of Education determines that a financial recovery plan is needed, the charter school or charter technical career center is considered to be in a state of financial emergency.

The Department of Education, with the involvement of sponsors, charter schools, and charter technical career centers, shall establish guidelines for developing such plans.

Section 5. Section 218.504, Florida Statutes, is amended to read:

218.504 Cessation of state action.—The Governor or the Commissioner of Education, as appropriate, has the authority to terminate all state actions pursuant to ss. 218.50-218.504. Cessation of state action must not occur until the Governor or the Commissioner of Education, as appropriate, has determined that:

(1) The local governmental entity, charter school, *charter technical career center,* or district school board:

(a) Has established and is operating an effective financial accounting and reporting system.

(b) Has resolved the conditions outlined in s. 218.503(1).

(2) None of the conditions outlined in s. 218.503(1) exists.

Section 6. Paragraph (b) of subsection (5), paragraphs (a), (b), and (d) of subsection (6), paragraphs (a) and (b) of subsection (7), paragraph (d) of subsection (8), paragraphs (g) through (q) of subsection (9), paragraphs (a) and (h) of subsection (10), paragraphs (b) and (c) of subsection (17), paragraph (e) of subsection (18), paragraph (a) of subsection (20), and subsections (21) and (23) of section 1002.33, Florida Statutes, are amended, present subsection (24) is renumbered as subsection (26), and new subsections (24) and (25) are added to that section, to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) Sponsor duties.—

1.a. The sponsor shall monitor and review the charter school in its progress toward the goals established in the charter.

b. The sponsor shall monitor the revenues and expenditures of the charter school *and perform the duties provided for in s. 1002.345*.

c. The sponsor may approve a charter for a charter school before the applicant has secured space, equipment, or personnel, if the applicant indicates approval is necessary for it to raise working funds.

d. The sponsor's policies shall not apply to a charter school unless mutually agreed to by both the sponsor and the charter school.

e. The sponsor shall ensure that the charter is innovative and consistent with the state education goals established by s. 1000.03(5).

f. The sponsor shall ensure that the charter school participates in the state's education accountability system. If a charter school falls short of performance measures included in the approved charter, the sponsor shall report such shortcomings to the Department of Education.

g. The sponsor shall not be liable for civil damages under state law for personal injury, property damage, or death resulting from an act or

omission of an officer, employee, agent, or governing body of the charter school.

h. The sponsor shall not be liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.

i. The sponsor's duties to monitor the charter school shall not constitute the basis for a private cause of action.

j. The sponsor shall not impose additional reporting requirements on a charter school without providing reasonable and specific justification in writing to the charter school.

2. Immunity for the sponsor of a charter school under subparagraph 1. applies only with respect to acts or omissions not under the sponsor's direct authority as described in this section.

3. Nothing contained in this paragraph shall be considered a waiver of sovereign immunity by a district school board.

4. A community college may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. District school boards shall cooperate with and assist the community college on the charter application. Community college applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Community colleges shall not report FTE for any students who receive FTE funding through the Florida Education Finance Program.

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity wishing to open a charter school shall prepare *and submit* an application *on a form developed by the Department of Education, which* ~~that~~:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny a charter if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

(b) A sponsor shall receive and review all applications for a charter school *using an evaluation instrument developed by the Department of Education*. Beginning with the 2007-2008 school year, a sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may receive applications later than this date if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of an application upon the promise of future payment of any kind.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days, articulate in writing the specific reasons, based upon good cause, supporting its denial of the charter application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education supporting those reasons.

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of a charter application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of a charter application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this provision for good cause.

(d) For charter school applications in school districts that have not been granted exclusive authority to sponsor charter schools pursuant to s. 1002.335(5), the right to appeal an application denial under paragraph (c) shall be contingent on the applicant having submitted the same or a substantially similar application to the *district school board and the* Florida Schools of Excellence Commission or one of its cosponsors. Any such applicant whose application is denied by the commission or one of its cosponsors *and* ~~subsequent to its denial~~ by the district school board may exercise its right to appeal the district school board's denial under paragraph (c) within 30 days after receipt of the commission's or cosponsor's denial or failure to act on the application. However, the applicant forfeits its right to appeal under paragraph (c) if it fails to submit its application to the commission or one of its cosponsors by August 1 of the school year immediately following the district school board's denial of the application.

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing body of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address, and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Sunshine State Standards and grounded in scientifically based reading research.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measure-

ment that will be used. The criteria listed in this subparagraph shall include a detailed description for each of the following:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. Included in the methods is a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1003.43.

6. A method for resolving conflicts between the governing body of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and which shall be compared with information provided in the annual report of the charter school. ~~The charter shall ensure that, if a charter school internal audit or annual financial audit reveals a state of financial emergency as defined in s. 218.503 or deficit financial position, the auditors are required to notify the charter school governing board, the sponsor, and the Department of Education. The internal auditor shall report such findings in the form of an exit interview to the principal or the principal administrator of the charter school and the chair of the governing board within 7 working days after finding the state of financial emergency or deficit position. A final report shall be provided to the entire governing board, the sponsor, and the Department of Education within 14 working days after the exit interview. When a charter school is in a state of financial emergency, the charter school shall file a detailed financial recovery plan with the sponsor. The department, with the involvement of both sponsors and charter schools, shall establish guidelines for developing such plans.~~

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chair of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school having equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(b)~~1.~~ A charter may be renewed *if* ~~provided that~~ a program review demonstrates that the criteria in paragraph (a) have been successfully accomplished and that none of the grounds for nonrenewal established by paragraph (8)(a) has been documented. In order to facilitate long-term financing for charter school construction, *a* charter *school that has operated* ~~schools operating~~ for a minimum of 3 years*, that has received a school grade of at least a "C" pursuant to s. 1008.34 during the previous 3 years,* and *that demonstrates* ~~demonstrating~~ exemplary ~~academic programming and~~ fiscal management *must be offered* ~~are eligible for~~ a 15-year charter renewal. Such long-term charter is subject to annual review and may be terminated during the term of the charter *pursuant to subsection (8)* .

~~2. The 15-year charter renewal that may be granted pursuant to subparagraph 1. shall be granted to a charter school that has received a school grade of "A" or "B" pursuant to s. 1008.34 in 3 of the past 4 years and is not in a state of financial emergency or deficit position as defined by this section. Such long-term charter is subject to annual review and may be terminated during the term of the charter pursuant to subsection (8).~~

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(d) A charter may be terminated immediately if the sponsor determines that good cause has been shown or if the health, safety, or welfare of the students is threatened. *The sponsor's determination is not subject to an informal hearing under paragraph (b) or pursuant to chapter 120.* The sponsor shall notify in writing the charter school's governing body,

the charter school principal, and the department if a charter is immediately terminated. The sponsor shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination when appropriate. The school district in which the charter school is located shall assume operation of the school under these circumstances. The charter school's governing board may, within 30 days after receiving the sponsor's decision to terminate the charter, appeal the decision pursuant to the procedure established in subsection (6).

(9) CHARTER SCHOOL REQUIREMENTS.—

~~(g) A charter school shall provide for an annual financial audit in accordance with s. 218.39. Financial audits that reveal a state of financial emergency as defined in s. 218.503 and are conducted by a certified public accountant or auditor in accordance with s. 218.39 shall be provided to the governing body of the charter school within 7 working days after finding that a state of financial emergency exists. When a charter school is found to be in a state of financial emergency by a certified public accountant or auditor, the charter school must file a detailed financial recovery plan with the sponsor within 30 days after receipt of the audit.~~

(g)~~(h)~~ In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records which constitute their accounting system:

1. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

2. At the discretion of the charter school governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph. *A charter school shall provide quarterly financial statements to the sponsor, except that such statements shall be provided monthly if a charter school is subject to corrective action plan under s. 1002.345 or a financial recovery plan under s. 218.503.*

(h)~~(i)~~ The governing board of the charter school shall annually adopt and maintain an operating budget.

(i)~~(j)~~ The governing body of the charter school shall exercise continuing oversight over charter school operations.

(j)~~(k)~~ The governing body of the charter school shall be responsible for:

1. Ensuring that the charter school has retained the services of a certified public accountant or auditor for the annual financial audit, pursuant to *s. 1002.345(2)* ~~paragraph (g)~~, who shall submit the report to the governing body.

2. Reviewing and approving the audit report, including audit findings and recommendations for the financial recovery plan.

3.*a. Performing the duties provided for in s. 1002.345, including monitoring a corrective action plan.*

b. Monitoring a financial recovery plan in order to ensure compliance.

4. Participating in governance training approved by the department that must include government in the sunshine, conflicts of interest, ethics, and financial responsibility.

(k)~~(l)~~ The governing body of the charter school shall report its progress annually to its sponsor, which shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports. The Department of Education shall develop a uniform, online annual accountability report *format* to be completed by charter schools. This report shall be easy to utilize and contain demographic information, student performance data, and financial accountability information. A charter school *may directly access, complete, and correct school data and information in the online accountability report. The sponsor shall review the report before final submission to* ~~shall not be required to provide information and data that is duplicative and already in the possession of~~ the department. The Department of Education shall include in its compilation a notation if a school failed to file its report by the deadline established by the department. The report shall include at least the following components:

1. Student achievement performance data, including the information required for the annual school report and the education accountability system governed by ss. 1008.31 and 1008.345. Charter schools are subject to the same accountability requirements as other public schools, including reports of student achievement information that links baseline student data to the school's performance projections identified in the charter. The charter school shall identify reasons for any difference between projected and actual student performance.

2. Financial status of the charter school which must include revenues and expenditures at a level of detail that allows for analysis of the *school's* ability to meet financial obligations and timely repayment of debt.

3. Documentation of the facilities in current use and any planned facilities for use by the charter school for instruction of students, administrative functions, or investment purposes.

4. Descriptive information about the charter school's personnel, including salary and benefit levels of charter school employees, the proportion of instructional personnel who hold professional or temporary certificates, and the proportion of instructional personnel teaching in-field or out-of-field.

(l)~~(m)~~ A charter school shall not levy taxes or issue bonds secured by tax revenues.

(m)~~(n)~~ A charter school shall provide instruction for at least the number of days required by law for other public schools, and may provide instruction for additional days.

(n)~~(o)~~ The director and a representative of the governing body of a charter school that has received a school grade of "D" under s. 1008.34(2) shall appear before the sponsor or the sponsor's staff at least once a year to present information concerning each contract component having noted deficiencies. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

(o)~~(p)~~ Upon notification that a charter school receives a school grade of "D" for 2 consecutive years or a school grade of "F" under s. 1008.34(2), the charter school sponsor or the sponsor's staff shall require the director and a representative of the governing body to submit to the sponsor for approval a school improvement plan to raise student achievement and to implement the plan. The sponsor has the authority to approve a school improvement plan that the charter school will implement in the following school year. The sponsor may also consider the State Board of Education's recommended action pursuant to s. 1008.33(1) as part of the school improvement plan. The Department of Education shall offer technical assistance and training to the charter school and its governing body and establish guidelines for developing, submitting, and approving such plans.

1. If the charter school fails to improve its student performance from the year immediately prior to the implementation of the school improvement plan, the sponsor shall place the charter school on probation and shall require the charter school governing body to take one of the following corrective actions:

a. Contract for the educational services of the charter school;

b. Reorganize the school at the end of the school year under a new director or principal who is authorized to hire new staff and implement a plan that addresses the causes of inadequate progress; or

c. Reconstitute the charter school.

2. A charter school that is placed on probation shall continue the corrective actions required under subparagraph 1. until the charter

school improves its student performance from the year prior to the implementation of the school improvement plan.

3. Notwithstanding any provision of this paragraph, the sponsor may terminate the charter at any time pursuant to the provisions of subsection (8).

(p)~~(q)~~ The director and a representative of the governing body of a graded charter school that has submitted a school improvement plan or has been placed on probation under paragraph *(o)* ~~(p)~~ shall appear before the sponsor or the sponsor's staff at least once a year to present information regarding the corrective strategies that are being implemented by the school pursuant to the school improvement plan. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

(10) ELIGIBLE STUDENTS.—

(a) A charter school shall be open to any student ~~covered in an interdistrict agreement or~~ residing in the school district in which the charter school is located; however, in the case of a charter lab school, the charter lab school shall be open to any student eligible to attend the lab school as provided in s. 1002.32 or who resides in the school district in which the charter lab school is located. Any ~~eligible~~ student shall be allowed interdistrict transfer to attend a charter school when based on good cause. *Good cause shall include, but not be limited to, geographic proximity to a charter school in a neighboring school district.*

(h) The capacity of the charter school shall be determined annually by the governing board, in conjunction with the sponsor, of the charter school in consideration of the factors identified in this subsection. *The calculation under s. 1003.03 for class size compliance for charter schools shall be the average for the applicable grade grouping at the school level established at the October student membership survey of the district in which the charter school is operated.*

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education. *Florida Education Finance Program funds for a charter school must be distributed to the charter school by the district school board within 10 days after receipt from the state.*

(c) If the *sponsor* ~~district school board~~ is providing programs or services to students funded by federal funds, any eligible students enrolled in charter schools in the school district shall be provided federal funds for the same level of service provided students in the schools operated by the district school board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all charter schools shall receive all federal funding for which the school is otherwise eligible, including Title I funding *and funding under the Individuals with Disabilities Education Act*, not later than 5 months after the charter school first opens and within 5 months after any subsequent expansion of enrollment.

(18) FACILITIES.—

(e)*1.* If a district school board facility or property is available because it is *surplused* ~~surplus~~, marked for disposal, or otherwise unused:~~,~~

a. It shall be provided for a charter school's use on the same basis as it is made available to other public schools in the district. A charter school receiving property from the school district *under this subparagraph* may not sell or dispose of such property without written permission of the school district.

b. It shall first be offered for purchase or lease to charter schools within the district to be used for educational purposes for a period of 45 days following a district school board's decision to sell or lease such property.

2. ~~Similarly,~~ For an existing public school converting to charter status, no rental or leasing fee for the existing facility or for the property normally inventoried to the conversion school may be charged by the district school board to the parents and teachers organizing the charter school. The charter school shall agree to reasonable maintenance provisions in order to maintain the facility in a manner similar to district school board standards. The Public Education Capital Outlay maintenance funds or any other maintenance funds generated by the facility operated as a conversion school shall remain with the conversion school.

(20) SERVICES.—

(a) 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 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 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. 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 500 students. For charter schools with a population of 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). 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.

(21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

(a) The Department of Education shall provide information to the public, directly and through sponsors, both on how to form and operate a charter school and on how to enroll in charter schools once they are created. This information shall include a standard application format, charter format, *evaluation instrument,* and charter renewal format which shall include the information specified in subsection (7) and shall be developed by consulting and negotiating with ~~both~~ school districts*, the Florida Schools of Excellence Commission,* and charter schools before implementation. These formats shall be used ~~as guidelines~~ by charter school sponsors.

(b)1. The Department of Education shall report student assessment data pursuant to s. 1008.34(3)(b) which is reported to schools that receive a school grade pursuant to s. 1008.34 or student assessment data pursuant to s. 1008.341(3) which is reported to alternative schools that receive a school improvement rating pursuant to s. 1008.341 to each charter school that:

a. Does not receive a school grade pursuant to s. 1008.34 or a school improvement rating pursuant to s. 1008.341; and

b. Serves at least 10 students who are tested on the statewide assessment test pursuant to s. 1008.22.

2. The charter school shall report the information in subparagraph 1. to each parent of a student at the charter school, the district in which the charter school is located, and the governing board of the charter school. This paragraph does not abrogate the provisions of s. 1002.22, relating to student records, and the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.

3.a. Pursuant to this paragraph, the Department of Education shall compare the charter school student performance data for each charter school in subparagraph 1. with the student performance data in traditional public schools in the district in which the charter school is located and other charter schools in the state. For charter alternative schools, the department shall compare the student performance data described in this paragraph with all alternative schools in the state. The comparative data shall be provided by the following grade groupings:

(I) Grades 3 through 5.

(II) Grades 6 through 8.

(III) Grades 9 through 11.

b. Each charter school shall make the information in this paragraph available to the public.

(23) ANALYSIS OF CHARTER SCHOOL PERFORMANCE.—Upon receipt of the annual report required by paragraph *(9)(k)* ~~(9)(l)~~, the Department of Education shall provide to the State Board of Education, the Commissioner of Education, the Governor, the President of the Senate, and the Speaker of the House of Representatives an analysis and comparison of the overall performance of charter school students, to include all students whose scores are counted as part of the statewide assessment program, versus comparable public school students in the district as determined by the statewide assessment program currently administered in the school district, and other assessments administered pursuant to s. 1008.22(3).

(24) RESTRICTION ON EMPLOYMENT OF RELATIVES.—

(a) This subsection applies to charter school personnel in a charter school operated by a private entity. Charter school personnel in schools operated by a municipality or other public entity are subject to s. 112.3135.

(b) As used in this subsection, the term:

1. "Charter school personnel" means a charter school owner, president, chair of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school having equivalent decisionmaking authority and in whom is vested the authority, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in a charter school, including the authority as a member of a governing board of a charter school to vote on the appointment, employment, promotion, or advancement of individuals.

2. "Relative" means father, mother, son, daughter, brother, sister, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

3. "Supervise" means the appointment, employment, promotion, or advancement of an individual or recommendation of the appointment, employment, promotion, or advancement of an individual.

(c) Charter school personnel may not supervise a relative in the charter school in which the personnel serve unless the governing board requests and obtains a waiver of this requirement from the Commissioner of Education or his or her designee.

(25) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

(a) A member of a governing board of a charter school, including a charter school operated by a private entity, is subject to the provisions of ss. 112.313(2), (3), (7), (12), and (15) and 112.3143(3).

(b) A member of a governing board of a charter school operated by a municipality or other public entity is subject to the provisions of s. 112.3144, relating to the disclosure of financial interests.

Section 7. Subsection (5), paragraph (a) of subsection (7), and paragraph (a) of subsection (11) of section 1002.335, Florida Statutes, are amended to read:

1002.335 Florida Schools of Excellence Commission.—

(5) CHARTERING AUTHORITY.—

(a) A charter school applicant may submit an application to the commission only if the school district in which the FSE charter school is to be located has not retained exclusive authority to authorize charter schools as provided in paragraph (e). If a district school board has not retained exclusive authority to authorize charter schools as provided in paragraph (e), the district school board and the commission shall have concurrent authority to authorize charter schools and FSE charter schools, respectively, to be located within the geographic boundaries of the school district. The district school board shall monitor and oversee all charter schools authorized by the district school board pursuant to s. 1002.33. The commission shall monitor and oversee all FSE charter schools sponsored by the commission pursuant to subsection (4).

(b) Paragraph (e) may not be construed to eliminate the ability of a district school board to authorize charter schools pursuant to s. 1002.33. A district school board shall retain the authority to reauthorize and to oversee any charter school that it has authorized, except with respect to any charter school that is converted to an FSE charter school under this section.

(c) For fiscal year *2008-2009 and every 4 fiscal years thereafter* ~~2007-2008 and for each fiscal year thereafter~~, a district school board may seek ~~to retain~~ exclusive authority to authorize charter schools within the geographic boundaries of the school district by presenting to the State Board of Education, on or before March 1 of the fiscal year prior to that for which the exclusive authority is to apply, a written resolution adopted by the district school board indicating the intent to *seek* ~~retain~~ exclusive authority to authorize charter schools. ~~A district school board may seek to retain the exclusive authority to authorize charter schools by presenting to the state board the written resolution on or before a date 60 days after establishment of the commission.~~ The written resolution shall be accompanied by a written description addressing the elements described in paragraph (e). The district school board shall provide a complete copy of the resolution, including the description, to each charter school authorized by the district school board on or before the date it submits the resolution to the state board.

(d) A party may challenge the grant of exclusive authority made by the State Board of Education pursuant to paragraph (e) by filing with the state board a notice of challenge within 30 days after the state board grants exclusive authority. The notice shall be accompanied by a specific written description of the basis for the challenge. The challenging party, at the time of filing notice with the state board, shall provide a copy of the notice of challenge to the district school board that has been granted exclusive authority. The state board shall permit the district school board the opportunity to appear and respond in writing to the challenge. The state board shall make a determination upon the challenge within 60 days after receiving the notice of challenge.

(e) The State Board of Education shall grant to a district school board exclusive authority to authorize charter schools within the geographic boundaries of the school district if the state board determines, after adequate notice, in a public hearing, and after receiving input from any charter school authorized by the district school board, that the district school board has provided fair and equitable treatment to its charter schools during the 4 years prior to the district school board's submission of the resolution described in paragraph (c). The state board's review of the resolution shall, at a minimum, include consideration of the following:

1. Compliance with the provisions of s. 1002.33.

2. Compliance with full and accurate accounting practices and charges for central administrative overhead costs.

3. Compliance with requirements allowing a charter school, at its discretion, to purchase certain services or a combination of services at actual cost to the district.

4. The absence of a district school board moratorium regarding charter schools or the absence of any districtwide charter school enrollment limits.

5. Compliance with valid orders of the state board.

6. The provision of assistance to charter schools to meet their facilities needs by including those needs in local bond issues or otherwise providing available land and facilities that are comparable to those provided to other public school students in the same grade levels within the school district.

7. The distribution to charter schools authorized by the district school board of a pro rata share of federal and state grants received by the district school board, except for any grant received for a particular purpose which, by its express terms, is intended to benefit a student population not able to be served by, or a program not able to be offered at, a charter school that did not receive a proportionate share of such grant proceeds.

8. The provision of adequate staff and other resources to serve charter schools authorized by the district school board, which services are provided by the district school board at a cost to the charter schools that does not exceed their actual cost to the district school board.

9. The lack of a policy or practice of imposing individual charter school enrollment limits, except as otherwise provided by law.

10. The provision of an adequate number of educational choice programs to serve students exercising their rights to transfer pursuant to the "No Child Left Behind Act of 2001," Pub. L. No. 107-110, and a history of charter school approval that encourages chartering.

(f) The decision of the State Board of Education *to grant or deny exclusive authority to a district school board* pursuant to paragraph (e) *shall be effective for 4 fiscal years,* shall not be subject to the provisions of chapter 120*,* and shall be a final action subject to judicial review by the district court of appeal.

(g) For district school boards that have no discernible history of authorizing charter schools, the State Board of Education may not grant exclusive authority unless the district school board demonstrates that no approvable application has come before the district school board.

~~(h) A grant of exclusive authority by the State Board of Education shall continue so long as a district school board continues to comply with this section and has presented a written resolution to the state board as set forth in paragraph (e).~~

(h)~~(i)~~ Notwithstanding any other provision of this section to the contrary, a district school board may permit the establishment of one or more FSE charter schools within the geographic boundaries of the school district by adopting a favorable resolution and submitting the resolution to the State Board of Education. The resolution shall be effective until it is rescinded by resolution of the district school board.

(7) COSPONSOR AGREEMENT.—

(a) Upon approval of a cosponsor, the commission and the cosponsor shall enter into an agreement that defines the cosponsor's rights and obligations and includes the following:

1. An explanation of the personnel, contractual and interagency relationships, and potential revenue sources referenced in the application as required in paragraph (6)(c).

2. Incorporation of the requirements of equal access for all students, including any plans to provide food service or transportation reasonably necessary to provide access to as many students as possible.

3. Incorporation of the requirement to serve low-income, low-performing, gifted, or underserved student populations.

4. An explanation of the academic and financial goals and expected outcomes for the cosponsor's charter schools and the method and plans by which they will be measured and achieved as referenced in the application.

5. The conflict-of-interest policies referenced in the application.

6. An explanation of the disposition of facilities and assets upon termination and dissolution of a charter school approved by the cosponsor.

7.*a.* A provision requiring the cosponsor to annually appear before the commission and provide a report as to the information provided pursuant to s. 1002.33(9)*(k)*~~(l)~~ for each of its charter schools.

b. A provision requiring the cosponsor to perform the duties provided for in s. 1002.345.

c. A provision requiring the governing board to perform the duties provided for in s. 1002.345, including monitoring the corrective action plan.

8. A provision requiring that the cosponsor report the student enrollment in each of its sponsored charter schools to the district school board of the county in which the school is located.

9. A provision requiring that the cosponsor work with the commission to provide the necessary reports to the State Board of Education.

10. Any other reasonable terms deemed appropriate by the commission given the unique characteristics of the cosponsor.

(11) APPLICATION OF CHARTER SCHOOL STATUTE.—

(a) The provisions of s. 1002.33(7)-(12), (14), ~~and~~ (16)-(19)*, (21)(b), (24), and (25)* ~~shall~~ apply to the commission and the cosponsors and charter schools approved pursuant to this section.

Section 8. Subsections (4) and (5), paragraphs (d) and (f) of subsection (6), subsection (8), paragraph (c) of subsection (10), and subsection (13) of section 1002.34, Florida Statutes, are amended to read:

1002.34 Charter technical career centers.—

(4) CHARTER.—A sponsor may designate centers as provided in this section. An application to establish a center may be submitted by a sponsor or another organization that is determined, by rule of the State Board of Education, to be appropriate. However, an independent school is not eligible for status as a center. The charter must be signed by the governing body of the center and the sponsor, and must be approved by the district school board and community college board of trustees in whose geographic region the facility is located. If a charter technical career center is established by the conversion to charter status of a public technical center formerly governed by a district school board, the charter status of that center takes precedence in any question of governance. The governance of the center or of any program within the center remains with its board of directors unless the board agrees to a change in governance or its charter is revoked as provided in subsection (15). Such a conversion charter technical career center is not affected by a change in the governance of public technical centers or of programs within other centers that are or have been governed by district school boards. A charter technical career center, or any program within such a center, that was governed by a district school board and transferred to a community college prior to the effective date of this act is not affected by this provision. An applicant who wishes to establish a center must submit to the district school board or community college board of trustees, or a consortium of one or more of each, an application *on a form developed by the Department of Education* that includes:

(a) The name of the proposed center.

(b) The proposed structure of the center, including a list of proposed members of the board of directors or a description of the qualifications for and method of their appointment or election.

(c) The workforce development goals of the center, the curriculum to be offered, and the outcomes and the methods of assessing the extent to which the outcomes are met.

(d) The admissions policy and criteria for evaluating the admission of students.

(e) A description of the staff responsibilities and the proposed qualifications of the teaching staff.

(f) A description of the procedures to be implemented to ensure significant involvement of representatives of business and industry in the operation of the center.

(g) A method for determining whether a student has satisfied the requirements for graduation specified in s. 1003.43 and for completion of a postsecondary certificate or degree.

(h) A method for granting secondary and postsecondary diplomas, certificates, and degrees.

(i) A description of and address for the physical facility in which the center will be located.

(j) A method of resolving conflicts between the governing body of the center and the sponsor and between consortium members, if applicable.

(k) A method for reporting student data as required by law and rule.

(l) The identity of all relatives employed by the charter technical career center who are related to the center owner, president, chair of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the center who has equivalent decisionmaking authority. As used in this paragraph, the term "relative" means father, mother, son, daughter, brother, sister, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(m)~~(l)~~ Other information required by the district school board or community college board of trustees.

Students at a center must meet the same testing and academic performance standards as those established by law and rule for students at public schools and public technical centers. The students must also meet any additional assessment indicators that are included within the charter approved by the district school board or community college board of trustees.

(5) APPLICATION.—An application to establish a center must be submitted by February 1 of the year preceding the school year in which the center will begin operation. The sponsor must review the application *using an evaluation instrument developed by the Department of Education* and make a final decision on whether to approve the application and grant the charter by March 1, and may condition the granting of a charter on the center's taking certain actions or maintaining certain conditions. Such actions and conditions must be provided to the applicant in writing. The district school board or community college board of trustees is not required to issue a charter to any person.

(6) SPONSOR.—A district school board or community college board of trustees or a consortium of one or more of each may sponsor a center in the county in which the board has jurisdiction.

(d) The Department of Education *shall offer or arrange for training and technical assistance to applicants in developing business plans and estimating costs and income. This assistance shall address estimating startup costs, projecting enrollment, and identifying the types and amounts of state and federal financial assistance the center will be eligible to receive. The training shall include instruction in accurate financial planning and good business practices* ~~may provide technical assistance to an applicant upon written request~~.

(f) The sponsor shall monitor and review the center's progress toward charter goals and shall monitor the center's revenues and expenditures. *The sponsor shall perform the duties provided for in s. 1002.345.*

(8) ELIGIBLE STUDENTS.—

(a) A center must be open to all students as space is available and may not discriminate in admissions policies or practices on the basis of an individual's physical disability or proficiency in English or on any other basis that would be unlawful if practiced by a public school or a community college. A center may establish reasonable criteria by which to evaluate prospective students, which criteria must be outlined in the charter.

(b) The calculation under s. 1003.03 for class size compliance for a center shall be the average for the applicable grade grouping at the school level established at the October student membership survey of the district in which the center is operated.

(10) EXEMPTION FROM STATUTES.—

(c) A center must comply with the antidiscrimination provisions of s. 1000.05 *and the provisions of s. 1002.33(24) relating to the employment of relatives*.

(13) BOARD OF DIRECTORS AUTHORITY.—The board of directors of a center may decide matters relating to the operation of the school, including budgeting, curriculum, and operating procedures, subject to the center's charter. *The board of directors is responsible for performing the duties provided for in s. 1002.345, including monitoring the corrective action plan. The board of directors must comply with the provisions of s. 1002.33 (25).*

Section 9. Section 1002.345, Florida Statutes, is created to read:

1002.345 Determination of financial weaknesses and financial emergencies for charter schools and charter technical career centers.—This section applies to charter schools operating pursuant to ss. 1002.33 and 1002.335, and to charter technical career centers operating pursuant to s. 1002.34.

(1) FINANCIAL WEAKNESS; REQUIREMENTS.—

(a) A charter school and a charter technical career center shall be subject to an expedited review by the sponsor when any one of the following conditions occurs:

1. An end-of-year financial deficit.

2. A substantial decline in student enrollment without a commensurate reduction in expenses.

3. Insufficient revenues to pay current operating expenses.

4. Insufficient revenues to pay long-term expenses.

5. Disproportionate administrative expenses.

6. Excessive debt.

7. Excessive expenditures.

8. Inadequate fund balances or reserves.

9. Failure to meet financial reporting requirements pursuant to s. 1002.33(9), s. 1002.335(7)(a)7., or s. 1002.34(14).

10. Weak financial controls or other adverse financial conditions identified through an annual audit conducted pursuant to s. 218.39.

11. Negative financial findings cited in reports by the Auditor General or the Office of Program Policy Analysis and Government Accountability.

(b) A sponsor shall notify the governing board within 7 working days when one or more of the conditions specified in paragraph (a) occur.

(c) The governing board and the sponsor shall develop a corrective action plan and file the plan with the Commissioner of Education within 30 working days. If the governing board and the sponsor are unable to agree on a corrective action plan, the Commissioner of Education shall determine the components of the plan. The governing board shall implement the plan.

(d) The governing board shall include the corrective action plan and the status of its implementation in the annual progress report to the sponsor that is required under s. 1002.33(9)(k), s. 1002.335(7)(a)7., or s. 1002.34(14).

(e) If the governing board fails to implement the corrective action plan within 1 year, the State Board of Education shall prescribe any steps necessary for the charter school or the charter technical career center to comply with state requirements.

(f) The chair of the governing board shall annually appear before the State Board of Education and report on the implementation of the State Board of Education's requirements.

(2) FINANCIAL EMERGENCY; DEFICIT FUND BALANCE; DEFICIT NET ASSETS; REQUIREMENTS.—

(a) A charter school and a charter technical career center shall provide for a certified public accountant or auditor to conduct an annual financial audit in accordance with s. 218.39.

(b) The charter shall ensure that, if an annual financial audit of a charter school or charter technical career center reveals one or more of the conditions in s. 218.503(1) have occurred or will occur if action is not taken or if a charter school or charter technical career center has a deficit fund balance or deficit net assets, the auditor must notify the governing board of the charter school or charter technical career center, as appropriate, the sponsor, and the Commissioner of Education.

(c)1. When a financial audit conducted by a certified public accountant in accordance with s. 218.39 reveals that one or more of the conditions in s. 218.503(1) have occurred or will occur if action is not taken or when a deficit fund balance or deficit net assets exist, the auditor shall notify and provide the financial audit to the governing board of the charter school or charter technical career center, as appropriate, the sponsor, and the Commissioner of Education within 7 working days after the finding is made.

2. When the charter school or charter technical career center is found to be in a state of financial emergency pursuant to s. 218.503(4), the charter school or charter technical career center shall file a detailed financial recovery plan as provided for in s. 218.503 with the sponsor within 30 days after being notified by the Commissioner of Education that a financial recovery plan is needed.

(d) The sponsor shall file a copy of the financial recovery plan with the Commissioner of Education.

(e) The governing board shall include the financial recovery plan and the status of its implementation in the annual progress report to the sponsor which is required under s. 1002.33(9)(k), s. 1002.335(7)(a)7., or s. 1002.34(14).

(3) REPORT.—The Commissioner of Education shall annually report to the State Board of Education each charter school and charter technical career center that is subject to a financial recovery plan or a corrective action plan under this section.

(4) RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 for developing financial recovery and corrective action plans and establishing the criteria for defining each of the conditions in subsection (1).

(5) TECHNICAL ASSISTANCE.—The Department of Education shall provide technical assistance to charter schools, charter technical career centers, governing boards, and sponsors in developing financial recovery and corrective action plans.

(6) FAILURE TO CORRECT DEFICIENCIES.—The sponsor may choose not to renew or may terminate a charter if the charter school or charter technical career center fails to correct the deficiencies noted in the corrective action plan within 1 year or exhibits one or more financial emergency conditions as provided in s. 218.503(1)(a)-(d) for 2 consecutive years. This subsection is not intended to affect a sponsor's authority to terminate or not renew a charter pursuant to s. 1002.33(8).

Section 10. Paragraph (f) is added to subsection (2) of section 1013.62, Florida Statutes, to read:

1013.62 Charter schools capital outlay funding.—

(2) A charter school's governing body may use charter school capital outlay funds for the following purposes:

(f) Any of the purposes set forth in s. 1011.71(2).

Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

And the title is amended as follows:

Remove lines 9-59 and insert: financial emergency; requiring that the sponsor and Legislative Auditing Committee be notified of certain conditions; providing that the Commissioner of Education may require a financial recovery plan if certain conditions exist for a charter school or charter technical career center; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms and evaluation instruments to be used by charter school applicants and sponsors; revising provisions relating to appeal of a charter school application denial; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charter schools to disclose the identity of relatives of charter school personnel; revising provisions relating to charter school renewal terms; providing that immediate termination of a charter is exempt from requirements for an informal hearing or a hearing under ch. 120, F.S.; requiring charter schools to provide quarterly or monthly financial statements under specified circumstances; revising provisions relating to a charter school's annual report; revising provisions relating to student eligibility to attend a charter school; revising the calculation requirements for class size compliance by charter schools; providing requirements for distribution of funds to charter schools; providing priority to charter schools for the lease or purchase of surplused, disposed, or unused public school property and facilities; requiring a sponsor to provide additional services relating to school lunches under the federal lunch program; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct and financial disclosure; amending s. 1002.335, F.S., relating to the Florida Schools of Excellence Commission; revising provisions relating to exclusive authority to authorize charter schools; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing that a grant or denial of exclusivity shall be effective for 4 fiscal years; specifying additional components of cosponsor agreements; providing for application of performance disclosure requirements for charter schools that are not graded or rated; providing for application of restrictions on the employment of relatives and certain standards of conduct and financial disclosure; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; revising the calculation requirements for class size compliance by charter technical career centers; providing for application of restrictions on the employment of relatives and certain standards of conduct and financial disclosure; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing boards, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; amending s. 1013.62, F.S.; authorizing additional uses for charter school capital outlay funds; providing an

On motion by Senator Gaetz, the Senate refused to concur in the House amendment to **CS for CS for SB 1652** and the House was requested to recede. The action of the Senate was certified to the House.

SPECIAL ORDER CALENDAR, continued

CS for SB 2504—A bill to be entitled An act relating to residential properties; amending s. 514.011, F.S.; defining the term "homeowners' association"; amending s. 514.0115, F.S.; providing for the regulation and exemption from regulation for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting a salary or compensation for certain association personnel; providing exceptions; amending s. 720.305, F.S.; authorizing fines assessed against members which exceed a certain amount to become a lien against a parcel; amending s. 720.306, F.S.; providing requirements for secret ballots; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain certifications for a specified time; amending s. 720.401, F.S.; requiring that the disclosure summary to prospective parcel owners include additional provisions; amending s.

34.01, F.S.; correcting a cross-reference to conform; amending s. 720.302, F.S.; correcting a cross-reference to conform; establishing legislative intent; repealing s. 720.311, F.S., relating to a procedure for dispute resolution in homeowners' associations; providing that dispute resolution cases pending on the date of repeal will continue under the repealed provisions; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; creating legislative findings; creating s. 720.503, F.S.; setting applicability of provisions for mediation and arbitration applicable to disputes in homeowners' associations; creating exceptions; proving applicability; tolling applicable statutes of limitations; creating s. 720.504, F.S; requiring that the notice of dispute be delivered before referral to mediation; creating s. 720.505, F.S.; creating a statutory notice form for referral to mediation; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of a mediator and times to meet; providing penalties for failure to mediate; creating s. 720.506, F.S.; creating an opt-out provision; creating s. 720.507, F.S.; creating a statutory notice form for referral to arbitration; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of an arbitrator and times to meet; providing penalties for failure to arbitrate; creating s. 720.508, F.S.; providing for rules of procedure; providing for confidentiality; creating s. 720.509, F.S.; setting qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation agreements and arbitration awards; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 2504** to **CS for CS for HB 679**.

Pending further consideration of **CS for SB 2504** as amended, on motion by Senator Posey, by two-thirds vote **CS for CS for HB 679** was withdrawn from the Committee on Regulated Industries.

On motion by Senator Posey—

CS for CS for HB 679—A bill to be entitled An act relating to residential properties; amending s. 34.01, F.S.; conforming a cross-reference; amending s. 514.011, F.S.; providing definitions; amending s. 514.0115, F.S.; providing specified supervision and regulation exemptions for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; creating s. 515.295, F.S.; providing definitions; requiring residential pools and spas built after a specified date to have certain features; amending s. 720.302, F.S.; conforming a cross-reference; providing legislative intent; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting salary or compensation of certain association personnel for certain duties; providing exceptions; amending s. 720.305, F.S.; revising a lien restriction; amending s. 720.306, F.S.; providing absentee ballot voting requirements; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain such certifications for a certain time; repealing s. 720.311, F.S., relating to dispute resolution; providing that dispute resolution proceedings that are pending as of the date of repeal shall continue under the repealed provisions; amending s. 720.401, F.S.; revising certain prospective parcel owner disclosure summary requirements; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; providing legislative findings; creating s. 720.503, F.S.; providing applicability; providing for mediation and arbitration of homeowners' association disputes; providing exceptions; authorizing the filing of a motion for temporary injunctive relief; providing for the tolling of applicable statutes of limitations; creating s. 720.504, F.S.; providing notification requirements; creating s. 720.505, F.S.; providing a statutory notice form for referral to mediation; providing requirements for the service of such notice; requiring parties to share costs of presuit mediation equally; providing response requirements; providing scheduling requirements; providing for impasse under certain conditions; prohibiting certain parties from recovering attorney's fees and costs in subsequent litigation proceedings; creating s. 720.506, F.S.; authorizing certain persons to opt out of presuit mediation; providing requirements for a person to opt out of such mediation; creating s. 720.507, F.S.; providing a statutory notice form for referral to arbitration; providing requirements for the service of such notice; requiring parties to share costs of arbitration equally; providing scheduling requirements; providing for impasse under certain conditions; prohibiting certain parties from recovering attorney's fees and costs in subsequent litigation proceedings; creating s. 720.508, F.S.; providing rules of procedure for presuit mediation and presuit arbitration proceedings; providing for confidentiality; creating s. 720.509, F.S.; providing qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation settlement agreements and arbitration awards; requiring the department to apply for and implement a federal grant for enforcing swimming pool safety standards; requiring the Department of Health, the Department of Community Affairs, and the Florida Building Commission to assess state statutes and the Florida Building Code to determine if changes are needed to comply with federal standards pertaining to swimming pool and spa safety; requiring the Department of Health to present the assessment to the Legislature by a specified date; providing effective dates.

—a companion measure, was substituted for **CS for SB 2504** as amended and read the second time by title.

Senator Posey moved the following amendment:

Amendment 1 (074374)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 514.011, Florida Statutes, is amended to read:

514.011 Definitions.—As used in this chapter*, the term*:

(1) "Department" means the Department of Health.

(2) "Homeowners' association" has the same meaning as in s. 720.301.

(3)~~(5)~~ "Portable pool" means a pool or spa, and related equipment systems of any kind, which is designed or intended to be movable from location to location.

(4)~~(3)~~ "Private pool" means a facility used only by an individual, family, or living unit members and their guests which does not serve any type of cooperative housing or joint tenancy of five or more living units.

(5)~~(4)~~ "Public bathing place" means a body of water, natural or modified by humans, for swimming, diving, and recreational bathing, together with adjacent shoreline or land area, buildings, equipment, and appurtenances pertaining thereto, used by consent of the owner or owners and held out to the public by any person or public body, irrespective of whether a fee is charged for the use thereof. The bathing water areas of public bathing places include, but are not limited to, lakes, ponds, rivers, streams, artificial impoundments, and waters along the coastal and intracoastal beaches and shores of the state.

(6)~~(2)~~ "Public swimming pool" or "public pool" means a watertight structure of concrete, masonry, or other approved materials*,* ~~which is~~ located ~~either~~ indoors or outdoors, used for bathing or swimming by humans, and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith. A public swimming pool or public pool shall mean a conventional pool, spa-type pool, wading pool, special purpose pool, or water recreation attraction, to which admission may be gained with or without payment of a fee and includes, but is not limited to, pools operated by or serving camps, churches, cities, counties, day care centers, group home facilities for eight or more clients, health spas, institutions, parks, state agencies, schools, subdivisions, or the cooperative living-type projects of five or more living units, such as apartments, boardinghouses, hotels, mobile home parks, motels, recreational vehicle parks, and townhouses.

Section 2. Subsection (2) of section 514.0115, Florida Statutes, is amended to read:

514.0115 Exemptions from supervision or regulation; variances.—

(2)(a) Pools serving no more than 32 condominium or cooperative units *or 32 parcels governed by a homeowners' association* which are not operated as a public lodging establishment *are* ~~shall be~~ exempt from supervision under this chapter, except for water quality.

(b) Pools serving condominium or cooperative associations of more than 32 units *or a homeowners' association of more than 32 parcels* and whose recorded documents prohibit the rental or sublease of the units for ~~periods of~~ less than 60 days are exempt from supervision under this

chapter, except that the condominium or cooperative owner or association *or homeowners' association* must file *an application* ~~applications~~ with the department and obtain construction *plan* ~~plans~~ approval and receive an initial operating permit. The department shall inspect the swimming pools ~~at such places~~ annually, at the fee set forth in s. 514.033(3), or upon request by a unit owner, to determine compliance with department rules relating to water quality and lifesaving equipment. The department may not require compliance with rules relating to swimming pool lifeguard standards.

Section 3. Subsection (9) of section 515.25, Florida Statutes, is amended to read:

515.25 Definitions.—As used in this chapter, the term:

(9) "Public swimming pool" means a swimming pool, as defined in s. *515.011* ~~514.011(2)~~, which is operated, with or without charge, for the use of the general public; however, the term does not include a swimming pool located on the grounds of a private residence.

Section 4. Paragraph (b) of subsection (2), paragraphs (a) and (c) of subsection (5), paragraphs (b), (c), (d), (f), and (g) of subsection (6) of section 720.303, Florida Statutes, are amended, and subsection (12) is added to that section, to read:

720.303 Association powers and duties; meetings of board; official records; budgets; financial reporting; association funds; recalls.—

(2) BOARD MEETINGS.—

(b) Members have the right to attend all meetings of the board and to speak on any matter placed on the agenda by petition of the voting interests for at least 3 minutes. The association may adopt written reasonable rules expanding the right of members to speak and governing the frequency, duration, and other manner of member statements, which rules must be consistent with this paragraph and may include a sign-up sheet for members wishing to speak. Notwithstanding any other law, ~~the requirement that board meetings and committee meetings be open to the members is inapplicable to~~ meetings between the board or a committee *to discuss proposed or pending litigation with* ~~and~~ the association's attorney, *or* ~~with respect to~~ meetings of the board held for the purpose of discussing personnel matters *are not required to be open to the members*.

(5) INSPECTION AND COPYING OF RECORDS.—The official records shall be maintained within the state and must be open to inspection and available for photocopying by members or their authorized agents at reasonable times and places within 10 business days after receipt of a written request for access. This subsection may be complied with by having a copy of the official records available for inspection or copying in the community. If the association has a photocopy machine available where the records are maintained, it must provide parcel owners with copies on request during the inspection if the entire request is limited to no more than 25 pages.

(a) The failure of an association to provide access to the records within 10 business days after receipt of a written request *submitted by certified mail, return receipt requested,* creates a rebuttable presumption that the association willfully failed to comply with this subsection.

(c) The association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections, but may not *require* ~~impose a requirement that~~ a parcel owner *to* demonstrate any proper purpose for the inspection, state any reason for the inspection, or limit a parcel owner's right to inspect records to less than one 8-hour business day per month. The association may impose fees to cover the costs of providing copies of the official records, including, without limitation, the costs of copying. The association may charge up to 50 cents per page for copies made on the association's photocopier. If the association does not have a photocopy machine available where the records are kept, or if the records requested to be copied exceed 25 pages in length, the association may have copies made by an outside vendor *or association management company personnel* and may charge the actual cost of copying*, including any reasonable costs involving personnel fees and charges at an hourly rate for employee time to cover administrative costs to the association*. The association shall maintain an adequate number of copies of the recorded governing documents~~,~~ to ensure their availability to members and prospective members. Notwithstanding the provisions of this paragraph, the following records *are* ~~shall~~ not ~~be~~ accessible to members or parcel owners:

1. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including, but not limited to, any record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association and *which* was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceedings until the conclusion of the litigation or ~~adversarial~~ administrative proceedings.

2. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a parcel.

3. Disciplinary, health, insurance, and personnel records of the association's employees.

4. Medical records of parcel owners or community residents.

(6) BUDGETS.—

(b) In addition to annual operating expenses, the budget may include reserve accounts for capital expenditures and deferred maintenance for which the association is responsible*. If reserve accounts are not established pursuant to paragraph (d), funding of such reserves shall be limited* to the extent that the governing documents ~~do not~~ limit increases in assessments, including reserves. If the budget of the association includes reserve accounts *established pursuant to paragraph (d)*, such reserves shall be determined, maintained, and waived in the manner provided in this subsection. Once an association provides for reserve accounts *pursuant to paragraph (d)* ~~in the budget~~, the association shall thereafter determine, maintain, and waive reserves in compliance with this subsection. *The provisions of this section do not preclude the termination of a reserve account established pursuant to this paragraph upon approval of a majority of the voting interests of the association. Upon such approval, the terminating reserve account shall be removed from the budget.*

(c)*1.* If the budget of the association does not provide for reserve accounts *pursuant to paragraph (d)* ~~governed by this subsection~~ and the association is responsible for the repair and maintenance of capital improvements that may result in a special assessment if reserves are not provided, each financial report for the preceding fiscal year required by subsection (7) shall contain the following statement in conspicuous type: THE BUDGET OF THE ASSOCIATION DOES NOT PROVIDE FOR RESERVE ACCOUNTS FOR CAPITAL EXPENDITURES AND DEFERRED MAINTENANCE THAT MAY RESULT IN SPECIAL ASSESSMENTS. OWNERS MAY ELECT TO PROVIDE FOR RESERVE ACCOUNTS PURSUANT TO THE PROVISIONS OF SECTION 720.303(6), FLORIDA STATUTES, UPON *OBTAINING* THE APPROVAL OF ~~NOT LESS THAN~~ A MAJORITY OF THE TOTAL VOTING INTERESTS OF THE ASSOCIATION *BY VOTE OF THE MEMBERS AT A MEETING OR BY WRITTEN CONSENT*.

2. If the budget of the association does provide for funding accounts for deferred expenditures, including, but not limited to, funds for capital expenditures and deferred maintenance, but such accounts are not created or established pursuant to paragraph (d), each financial report for the preceding fiscal year required under subsection (7) must also contain the following statement in conspicuous type: THE BUDGET OF THE ASSOCIATION DOES PROVIDE FOR LIMITED VOLUNTARY DEFERRED EXPENDITURE ACCOUNTS, INCLUDING CAPITAL EXPENDITURES AND DEFERRED MAINTENANCE, SUBJECT TO LIMITS ON FUNDING CONTAINED IN OUR GOVERNING DOCUMENTS. BECAUSE THE OWNERS HAVE NOT ELECTED TO PROVIDE FOR RESERVE ACCOUNTS PURSUANT TO SECTION 720.303(6), FLORIDA STATUTES, THESE FUNDS ARE NOT SUBJECT TO THE RESTRICTIONS ON USE OF SUCH FUNDS SET FORTH IN THAT STATUTE, NOR ARE RESERVES CALCULATED IN ACCORDANCE WITH THAT STATUTE.

(d) An association shall be deemed to have provided for reserve accounts *if* ~~when~~ reserve accounts have been initially established by the developer or *if* ~~when~~ the membership of the association affirmatively elects to provide for reserves. If reserve accounts are not initially provided for by the developer, the membership of the association may elect

to do so upon the affirmative approval of ~~not less than~~ a majority of the total voting interests of the association. Such approval may be *obtained* ~~attained~~ by vote of the members at a duly called meeting of the membership or *by the* ~~upon a~~ written consent *of* ~~executed by not less than~~ a majority of the total voting interests in the community. The approval action of the membership shall state that reserve accounts shall be provided for in the budget and *shall* designate the components for which the reserve accounts are to be established. Upon approval by the membership, the board of directors shall *include* ~~provide for~~ the required reserve accounts ~~for inclusion~~ in the budget in the next fiscal year following the approval and ~~in~~ each year thereafter. Once established as provided in this subsection, the reserve accounts shall be funded or maintained or shall have their funding waived in the manner provided in paragraph (f).

(f) *After one or more* ~~Once a reserve account or~~ reserve accounts are established, the membership of the association, upon a majority vote at a meeting at which a quorum is present, may provide for no reserves or less reserves than required by this section. If a meeting of the unit owners has been called to determine whether to waive or reduce the funding of reserves and no such result is achieved or a quorum is not present, the reserves as included in the budget shall go into effect. After the turnover, the developer may vote its voting interest to waive or reduce the funding of reserves. Any vote taken pursuant to this subsection to waive or reduce reserves *is* ~~shall be~~ applicable only to one budget year.

(g) Funding formulas for reserves authorized by this section shall be based on either a separate analysis of each of the required assets or a pooled analysis of two or more of the required assets.

1. If the association maintains separate reserve accounts for each of the required assets, the amount of the contribution to each reserve account *is* ~~shall be~~ the sum of the following two calculations:

a. The total amount necessary, if any, to bring a negative component balance to zero.

b. The total estimated deferred maintenance expense or estimated replacement cost of the reserve component less the estimated balance of the reserve component as of the beginning of the period ~~for which~~ the budget will be in effect. The remainder, if greater than zero, shall be divided by the estimated remaining useful life of the component.

The formula may be adjusted each year for changes in estimates and deferred maintenance performed during the year and may include factors such as inflation and earnings on invested funds.

2. If the association maintains a pooled account of two or more of the required reserve assets, the amount of the contribution to the pooled reserve account as disclosed on the proposed budget *may* ~~shall~~ not be less than that required to ensure that the balance on hand at the beginning of the period ~~for which~~ the budget will go into effect plus the projected annual cash inflows over the remaining estimated useful life of all of the assets that make up the reserve pool are equal to or greater than the projected annual cash outflows over the remaining estimated useful lives of all ~~of~~ the assets that make up the reserve pool, based on the current reserve analysis. The projected annual cash inflows may include estimated earnings from investment of principal *and accounts receivable minus the allowance for doubtful accounts*. The reserve funding formula *may* ~~shall~~ not include any type of balloon payments.

(12) COMPENSATION PROHIBITED.—A director, officer, or committee member of the association may not receive directly or indirectly any salary or compensation from the association for the performance of duties as a director, officer, or committee member and may not in any other way benefit financially from service to the association. This subsection does not preclude:

(a) Participation by such person in a financial benefit accruing to all or a significant number of members as a result of actions lawfully taken by the board or a committee of which he or she is a member, including, but not limited to, routine maintenance, repair, or replacement of community assets.

(b) Reimbursement for out-of-pocket expenses incurred by such person on behalf of the association, subject to approval in accordance with procedures established by the association's governing documents or, in the absence of such procedures, in accordance with an approval process established by the board.

(c) Any recovery of insurance proceeds derived from a policy of insurance maintained by the association for the benefit of its members.

(d) Any fee or compensation authorized in the governing documents.

(e) Any fee or compensation authorized in advance by a vote of a majority of the voting interests voting in person or by proxy at a meeting of the members.

Section 5. Subsection (2) of section 720.305, Florida Statutes, are amended to read:

720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights; failure to fill sufficient number of vacancies on board of directors to constitute a quorum; appointment of receiver upon petition of any member.—

(2) If the governing documents so provide, an association may suspend, for a reasonable period of time, the rights of a member or a member's tenants, guests, or invitees, or both, to use common areas and facilities and may levy reasonable fines *of up to*~~, not to exceed~~ $100 per violation, against any member or any tenant, guest, or invitee. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, except that no ~~such~~ fine *may* ~~shall~~ exceed $1,000 in the aggregate unless otherwise provided in the governing documents. A fine *of less than $1,000 may* ~~shall~~ not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to collect its reasonable attorney's fees and costs from the nonprevailing party as determined by the court.

(a) A fine or suspension may not be imposed without ~~notice of~~ at least 14 days *notice* to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed.

(b) The requirements of this subsection do not apply to the imposition of suspensions or fines upon any member because of the failure of the member to pay assessments or other charges when due if such action is authorized by the governing documents.

(c) Suspension of common-area-use rights *do* ~~shall~~ not impair the right of an owner or tenant of a parcel to have vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.

Section 6. Subsections (8) and (9) of section 720.306, Florida Statutes, are amended to read:

720.306 Meetings of members; voting and election procedures; amendments.—

(8) PROXY VOTING.—The members have the right, unless otherwise provided in this subsection or in the governing documents, to vote in person or by proxy.

(a) To be valid, a proxy must be dated, must state the date, time, and place of the meeting for which it was given, and must be signed by the authorized person who executed the proxy. A proxy is effective only for the specific meeting for which it was originally given, as the meeting may lawfully be adjourned and reconvened from time to time, and automatically expires 90 days after the date of the meeting for which it was originally given. A proxy is revocable at any time at the pleasure of the person who executes it. If the proxy form expressly so provides, any proxy holder may appoint, in writing, a substitute to act in his or her place.

(b) If the governing documents permit voting by secret ballot by members who are not in attendance at a meeting of the members for the election of directors, such ballots shall be placed in an inner envelope with no identifying markings and mailed or delivered to the association in an outer envelope bearing identifying information reflecting the name of the member, the lot or parcel for which the vote is being cast, and the signature of the lot or parcel owner casting that ballot. After the eligibility of the member to vote and confirmation that no other ballot has been submitted for that lot or parcel, the inner envelope shall be removed from the outer envelope bearing the identification information, placed with the

ballots which were personally cast, and opened when the ballots are counted. If more than one ballot is submitted for a lot or parcel, the ballots for that lot or parcel shall be disqualified. Any vote by ballot received after the closing of the balloting may not be considered.

(9) ELECTIONS*; BOARD MEMBER CERTIFICATION.*—

(a) Elections of directors must be conducted in accordance with the procedures set forth in the governing documents of the association. All members of the association *are* ~~shall be~~ eligible to serve on the board of directors, and a member may nominate himself or herself as a candidate for the board at a meeting where the election is to be held *or, if the election process allows voting by absentee ballot, in advance of the balloting*. Except as otherwise provided in the governing documents, boards of directors must be elected by a plurality of the votes cast by eligible voters. Any election dispute between a member and an association must be submitted to mandatory binding arbitration with the division. Such proceedings shall be conducted in the manner provided by s. 718.1255 and the procedural rules adopted by the division.

(b) Within 30 days after being elected to the board of directors, a new director shall certify in writing to the secretary of the association that he or she has read the association's declarations of covenants and restrictions, articles of incorporation, bylaws, and current written policies and that he or she will work to uphold each to the best of his or her ability and will faithfully discharge his or her fiduciary responsibility to the association's members. Failure to timely file such statement shall automatically disqualify the director from service on the association's board of directors. The secretary shall cause the association to retain a director's certification for inspection by the members for 5 years after a director's election. Failure to have such certification on file does not affect the validity of any appropriate action.

Section 7. Paragraph (a) of subsection (1) of section 720.401, Florida Statutes, is amended to read:

720.401 Prospective purchasers subject to association membership requirement; disclosure required; covenants; assessments; contract cancellation.—

(1)(a) A prospective parcel owner in a community must be presented a disclosure summary before executing the contract for sale. The disclosure summary must be in a form substantially similar to the following form:

DISCLOSURE SUMMARY
FOR
(NAME OF COMMUNITY)

1. AS A PURCHASER OF PROPERTY IN THIS COMMUNITY, YOU WILL BE OBLIGATED TO BE A MEMBER OF A HOMEOWNERS' ASSOCIATION.

2. THERE HAVE BEEN OR WILL BE RECORDED RESTRICTIVE COVENANTS GOVERNING THE USE AND OCCUPANCY OF PROPERTIES IN THIS COMMUNITY.

3. YOU WILL BE OBLIGATED TO PAY ASSESSMENTS TO THE ASSOCIATION. ASSESSMENTS MAY BE SUBJECT TO PERIODIC CHANGE. IF APPLICABLE, THE CURRENT AMOUNT IS $____ PER ____. YOU WILL ALSO BE OBLIGATED TO PAY ANY SPECIAL ASSESSMENTS IMPOSED BY THE ASSOCIATION. SUCH SPECIAL ASSESSMENTS MAY BE SUBJECT TO CHANGE. IF APPLICABLE, THE CURRENT AMOUNT IS $____ PER ____.

4. YOU MAY BE OBLIGATED TO PAY SPECIAL ASSESSMENTS TO THE RESPECTIVE MUNICIPALITY, COUNTY, OR SPECIAL DISTRICT. ALL ASSESSMENTS ARE SUBJECT TO PERIODIC CHANGE.

5. YOUR FAILURE TO PAY SPECIAL ASSESSMENTS OR ASSESSMENTS LEVIED BY A MANDATORY HOMEOWNERS' ASSOCIATION *MAY* ~~COULD~~ RESULT IN A LIEN ON YOUR PROPERTY.

6. THERE MAY BE AN OBLIGATION TO PAY RENT OR LAND USE FEES FOR RECREATIONAL OR OTHER COMMONLY USED FACILITIES AS AN OBLIGATION OF MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION. IF APPLICABLE, THE CURRENT AMOUNT IS $____ PER ____.

7. *IF THE ASSOCIATION IS STILL UNDER THE CONTROL OF THE DEVELOPER,* THE DEVELOPER MAY HAVE THE RIGHT TO AMEND THE RESTRICTIVE COVENANTS WITHOUT THE APPROVAL OF THE ASSOCIATION MEMBERSHIP OR THE APPROVAL OF THE PARCEL OWNERS.

8. THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE PURCHASER, YOU SHOULD REFER TO THE COVENANTS AND THE ASSOCIATION GOVERNING DOCUMENTS BEFORE PURCHASING PROPERTY.

9. THESE DOCUMENTS ARE ~~EITHER~~ MATTERS OF PUBLIC RECORD AND CAN BE OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE THE PROPERTY IS LOCATED, OR*, IF* ~~ARE~~ NOT RECORDED*,* ~~AND~~ CAN BE OBTAINED FROM THE DEVELOPER.

10. THERE MAY BE AN OBLIGATION TO PAY ASSESSMENTS (TAXES OR FEES) TO A RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT FOR THE PURPOSE OF RETIRING BOND OBLIGATIONS USED TO CONSTRUCT INFRASTRUCTURE OR OTHER IMPROVEMENTS.

11. YOU ARE JOINTLY AND SEVERALLY LIABLE WITH THE PREVIOUS OWNER OF YOUR PROPERTY FOR ALL UNPAID ASSESSMENTS THAT CAME DUE UP TO THE TIME OF TRANSFER OF TITLE.

DATE: PURCHASER:

PURCHASER:

The disclosure must be supplied by the developer, or by the parcel owner if the sale is by an owner that is not the developer. Any contract or agreement for sale shall refer to and incorporate the disclosure summary and shall include, in prominent language, a statement that the potential buyer should not execute the contract or agreement until *he or she has* ~~they have~~ received and read the disclosure summary required by this section.

Section 8. Paragraph (d) of subsection (1) of section 34.01, Florida Statutes, is amended to read:

34.01 Jurisdiction of county court.—

(1) County courts shall have original jurisdiction:

(d) Of disputes occurring in the homeowners' associations as described in *part IV of chapter 720* ~~s. 720.311(2)(a)~~, which shall be concurrent with jurisdiction of the circuit courts.

Section 9. Subsection (2) of section 720.302, Florida Statutes, is amended to read:

720.302 Purposes, scope, and application.—

(2) The Legislature recognizes that it is not in the best interest of homeowners' associations or the individual association members thereof to create or impose a bureau or other agency of state government to regulate the affairs of homeowners' associations. However, in accordance with *part IV of chapter 720* ~~s. 720.311~~, the Legislature finds that homeowners' associations and their individual members will benefit from an expedited alternative process for resolution of ~~election and recall disputes and presuit mediation of other~~ disputes involving covenant enforcement *in homeowner's associations and deed restricted communities using the procedures provided in part IV of* ~~and authorizes the department to hear, administer, and determine these disputes as more fully set forth in~~ this chapter. Further, the Legislature recognizes that certain contract rights have been created for the benefit of homeowners' associations and members thereof *as well as deed-restricted communities* before the effective date of this act and that *part IV of chapter 720 is* ~~ss. 720.301-720.407 are~~ not intended to impair such contract rights, including, but not limited to, the rights of the developer to complete the community as initially contemplated.

Section 10. *Section 720.311, Florida Statutes, is repealed.*

Section 11. Part IV of chapter 720, Florida Statutes, to be entitled "Dispute Resolution" consisting of sections 720.501, 720.502, 720.503,

720.504, 720.505, 720.506, 720.507, 720.508, 720.509, and 720.510, is created to read:

720.501 Short title.—This part may be cited as the "Home Court Advantage Dispute Resolution Act."

720.502 Legislative findings.—The Legislature finds that alternative dispute resolution has made progress in reducing court dockets and trials and in offering a more efficient, cost-effective option to litigation.

720.503 Applicability of this part.—

(1) Unless otherwise provided in this part, before a dispute described herein between a homeowners' association and a parcel owner or owners, or a dispute between parcel owners within the same homeowners' association, may be filed in court the dispute is subject to presuit mediation pursuant to s. 720.505 or presuit arbitration pursuant to s. 720.507, at the option of the aggrieved party who initiates the first formal action of alternative dispute resolution under this part. The parties may mutually agree to participate in both presuit mediation and presuit arbitration prior to suit being filed by either party.

(2) Unless otherwise provided in this part, the mediation and arbitration provisions of this part are limited to disputes between an association and a parcel owner or owners or between parcel owners regarding the use of or changes to the parcel or the common areas under the governing documents and other disputes involving violations of the recorded declaration of covenants or other governing documents, disputes arising concerning enforcement of the governing documents or any amendments thereto, and disputes involving access to the official records of the association. A dispute concerning title to any parcel or common area, interpretation or enforcement of any warranty, the levy of a fee or assessment, the collection of an assessment levied against a party, the eviction or other removal of a tenant from a parcel, alleged breaches of fiduciary duty by one or more directors, or any action to collect mortgage indebtedness or to foreclosure a mortgage shall not be subject to the provisions of this part.

(3) All disputes arising after the effective date of this part involving the election of the board of directors for an association or the recall of any member of the board or officer of the association shall not be eligible for presuit mediation under s. 720.505, but shall be subject to the provisions concerning presuit arbitration under s. 720.507.

(4) In any dispute subject to presuit mediation or presuit arbitration under this part for which emergency relief is required, a motion for temporary injunctive relief may be filed with the court without first complying with the presuit mediation or presuit arbitration requirements of this part. After any issues regarding emergency or temporary relief are resolved, the court may refer the parties to a mediation program administered by the courts or require mediation or arbitration under this part.

(5) The mailing of a statutory notice of presuit mediation or presuit arbitration as provided in this part shall toll the applicable statute of limitations during the pendency of the mediation or arbitration and for a period of 30 days following the conclusion of either proceeding. The 30-day period shall start upon the filing of the mediator's notice of impasse or the arbitrator's written arbitration award. If the parties mutually agree to participate in both presuit mediation and presuit arbitration under this part, the tolling of the applicable statute of limitations for each such alternative dispute resolution proceeding shall be consecutive.

720.504 Notice of dispute.—Prior to giving the statutory notice to proceed under presuit medication or presuit arbitration under this part, the aggrieved association or parcel owner shall first provide written notice of the dispute to the responding party in the manner provided by this section.

(1) The notice of dispute shall be delivered to the responding party by certified mail, return receipt requested, or the notice of dispute may be hand delivered and the person making delivery shall file with their notice of mediation either the proof of receipt of mailing or an affidavit stating the date and time of the delivery of the notice of dispute. If the notice is delivered by certified mail, return receipt requested, and the responding party fails or refuses to accept delivery, notice shall be considered properly delivered for purposes of this section on the date of the first attempted delivery.

(2) The notice of dispute shall state with specificity the nature of the dispute, including the date, time, and location of each event that is the subject of the dispute and the action requested to resolve the dispute. The notice shall also include the text of any provision in the governing documents, including the rules and regulations, of the association which form the basis of the dispute.

(3) Unless the parties otherwise agree in writing to a longer time period, the party receiving the notice of dispute shall have 10 days following the date of receipt of notice to resolve the dispute. If the alleged dispute has not been resolved within the 10-day period, the aggrieved party may proceed under this part at any time thereafter within the applicable statute of limitations.

(4) A copy of the notice and the text of the provision in the governing documents or the rules and regulations of the association which are the basis of the dispute, along with proof of service of the notice of dispute and a copy of any written responses received from the responding party, shall be included as an exhibit to any demand for mediation or arbitration under this part.

720.505 Presuit mediation.—

(1) Disputes between an association and a parcel owner or owners and between parcel owners must be submitted to presuit mediation before the dispute may be filed in court or, at the election of the party initiating the presuit procedures, such dispute may be submitted to presuit arbitration pursuant to s. 720.507 before the dispute may be filed in court. An aggrieved party who elects to use the presuit mediation procedure under this section shall serve on the responding party a written notice of presuit mediation in substantially the following form:

STATUTORY NOTICE OF PRESUIT MEDIATION

THE ALLEGED AGGRIEVED PARTY, _____, HEREBY DEMANDS THAT _____, AS THE RESPONDING PARTY, ENGAGE IN MANDATORY PRESUIT MEDIATION IN CONNECTION WITH A DISPUTE(S) WITH YOU, WHICH BY STATUTE ARE OF A TYPE THAT ARE SUBJECT TO PRESUIT MEDIATION:

ATTACHED IS A COPY OF THE PRIOR NOTICE OF VIOLATION WHICH DETAILS THE SPECIFIC NATURE OF THE DISPUTE(S)TO BE MEDIATED AND THE AUTHORITY SUPPORTING A FINDING OF A VIOLATION AS TO EACH DISPUTE, INCLUDING, BUT NOT LIMITED TO, THE APPLICABLE PROVISIONS OF THE GOVERNING DOCUMENTS OF THE ASSOCIATION BELIEVED TO APPLY TO THE DISPUTE BETWEEN THE PARTIES, AND A COPY OF THE NOTICE YOU RECEIVED OR REFUSED AND COPIES OF ANY WRITTEN RESPONSE(S) RECEIVED FROM YOU ABOUT THIS DISPUTE.

PURSUANT TO PART IV OF CHAPTER 720, FLORIDA STATUTES, THIS DEMAND TO RESOLVE THE DISPUTE THROUGH PRESUIT MEDIATION IS REQUIRED BEFORE A LAWSUIT CAN BE FILED CONCERNING THE DISPUTE. PURSUANT TO FLORIDA STATUTES, THE PARTIES ARE REQUIRED TO ENGAGE IN PRESUIT MEDIATION WITH A NEUTRAL THIRD-PARTY MEDIATOR IN ORDER TO ATTEMPT TO RESOLVE THIS DISPUTE WITHOUT COURT ACTION, AND THE AGGRIEVED PARTY DEMANDS THAT YOU PARTICIPATE IN THIS PROCESS. UNLESS YOU RESPOND TO THIS NOTICE BY FILING WITH THE AGGRIEVED PARTY A NOTICE OF OPTING OUT AND DEMAND FOR ARBITRATION UNDER S. 720.506, FLORIDA STATUTES, YOUR FAILURE TO PARTICIPATE IN THE MEDIATION PROCESS MAY RESULT IN A LAWSUIT BEING FILED IN COURT AGAINST YOU WITHOUT FURTHER NOTICE.

THE PROCESS OF MEDIATION INVOLVES A SUPERVISED NEGOTIATION PROCESS IN WHICH A TRAINED, NEUTRAL THIRD-PARTY MEDIATOR MEETS WITH BOTH PARTIES AND ASSISTS THEM IN EXPLORING POSSIBLE OPPORTUNITIES FOR RESOLVING PART OR ALL OF THE DISPUTE. BY AGREEING TO PARTICIPATE IN PRESUIT MEDIATION, YOU ARE NOT BOUND IN ANY WAY TO CHANGE YOUR POSITION. FURTHERMORE, THE MEDIATOR HAS NO AUTHORITY TO MAKE ANY DECISIONS IN THIS MATTER OR TO DETERMINE WHO IS RIGHT OR WRONG AND MERELY ACTS AS A FACILITATOR TO ENSURE THAT EACH PARTY UNDERSTANDS THE POSITION OF THE OTHER PARTY AND THAT ALL OPTIONS FOR REASONABLE SETTLEMENT ARE FULLY EXPLORED.

IF AN AGREEMENT IS REACHED, IT SHALL BE REDUCED TO WRITING AND BECOME A BINDING AND ENFORCEABLE CONTRACT BETWEEN THE PARTIES. A RESOLUTION OF ONE OR MORE DISPUTES IN THIS FASHION AVOIDS THE NEED TO LITIGATE THESE ISSUES IN COURT. THE FAILURE TO REACH AN AGREEMENT, OR THE FAILURE OF A PARTY TO PARTICIPATE IN THE PROCESS, RESULTS IN THE MEDIATOR DECLARING AN IMPASSE IN THE MEDIATION, AFTER WHICH THE AGGRIEVED PARTY MAY PROCEED TO FILE A LAW SUIT ON ALL OUTSTANDING, UNSETTLED DISPUTES. IF YOU HAVE FAILED OR REFUSED TO PARTICIPATE IN THE ENTIRE MEDIATION PROCESS, YOU WILL NOT BE ENTITLED TO RECOVER ATTORNEY'S FEES IF YOU PREVAIL IN A SUBSEQUENT COURT PROCEEDING INVOLVING THE SAME DISPUTE.

THE AGGRIEVED PARTY HAS SELECTED FROM A LIST OF ELIGIBLE QUALIFIED MEDIATORS AT LEAST FIVE CERTIFIED MEDIATORS WHO THE AGGRIEVED PARTY BELIEVES TO BE NEUTRAL AND QUALIFIED TO MEDIATE THE DISPUTE. YOU HAVE THE RIGHT TO SELECT ANY ONE OF THESE MEDIATORS. THE FACT THAT ONE PARTY MAY BE FAMILIAR WITH ONE OR MORE OF THE LISTED MEDIATORS DOES NOT MEAN THAT THE MEDIATOR CANNOT ACT AS A NEUTRAL AND IMPARTIAL FACILITATOR. THE NAMES OF THE MEDIATORS THAT THE AGGRIEVED PARTY HEREBY SUBMITS TO YOU FROM WHOM YOU MAY CHOOSE ONE, AND THEIR CURRENT ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES ARE AS FOLLOWS:

(LIST THE NAMES, ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES OF THE MEDIATORS. OTHER PERTINENT INFORMATION ABOUT THE BACKGROUND OF THE MEDIATORS MAY BE INCLUDED AS AN ATTACHMENT.)

YOU MAY CONTACT THE OFFICES OF THESE MEDIATORS TO CONFIRM THAT EACH OF THE ABOVE LISTED MEDIATORS WILL BE NEUTRAL AND WILL NOT SHOW ANY FAVORITISM TOWARD EITHER PARTY. UNLESS OTHERWISE AGREED TO BY THE PARTIES, PART IV OF CHAPTER 720, FLORIDA STATUTES, REQUIRES THAT THE PARTIES SHARE THE COSTS OF PRESUIT MEDIATION EQUALLY, INCLUDING THE FEE CHARGED BY THE MEDIATOR. AN AVERAGE MEDIATION MAY REQUIRE 3 TO 4 HOURS OF THE MEDIATOR'S TIME, INCLUDING SOME PREPARATION TIME, AND THE PARTIES WOULD NEED TO EQUALLY SHARE THE MEDIATOR'S FEES AS WELL AS BE RESPONSIBLE FOR ALL OF THEIR OWN ATTORNEY'S FEES IF THEY CHOOSE TO EMPLOY AN ATTORNEY IN CONNECTION WITH THE MEDIATION. HOWEVER, USE OF AN ATTORNEY IS NOT REQUIRED AND IS AT THE OPTION OF EACH PARTY. THE MEDIATORS MAY REQUIRE THE ADVANCE PAYMENT OF SOME OR ALL OF THE ANTICIPATED FEES. THE AGGRIEVED PARTY HEREBY AGREES TO PAY OR PREPAY ONE-HALF OF THE SELECTED MEDIATOR'S ESTIMATED FEES AND TO FORWARD THIS AMOUNT OR SUCH OTHER REASONABLE ADVANCE DEPOSITS AS THE MEDIATOR REQUIRES FOR THIS PURPOSE UPON THE SELECTION OF THE MEDIATOR. ANY FUNDS DEPOSITED WILL BE RETURNED TO YOU IF THESE FUNDS ARE IN EXCESS OF YOUR SHARE OF THE MEDIATOR FEES INCURRED.

TO BEGIN YOUR PARTICIPATION IN PRESUIT MEDIATION TO TRY TO RESOLVE THE DISPUTE WITH YOU AND AVOID FURTHER LEGAL ACTION, PLEASE SIGN BELOW AND CLEARLY INDICATE WHICH MEDIATOR IS ACCEPTABLE TO YOU FROM THE FIVE MEDIATORS LISTED BY THE AGGRIEVED PARTY ABOVE.

YOU MUST RESPOND IN WRITING TO THIS STATUTORY NOTICE OF PRESUIT MEDIATION WITHIN 20 DAYS. IN YOUR RESPONSE YOU MUST PROVIDE A LISTING OF AT LEAST THREE DATES AND TIMES IN WHICH YOU ARE AVAILABLE TO PARTICIPATE IN THE MEDIATION THAT ARE WITHIN 90 DAYS AFTER THE POSTMARKED DATE OF THE MAILING OF THIS NOTICE OF PRESUIT MEDIATION OR WITHIN 90 DAYS AFTER THE DATE YOU WERE SERVED WITH A COPY OF THIS NOTICE. THE AGGRIEVED PARTY WILL THEN ASK THE MEDIATOR TO SCHEDULE A MUTUALLY CONVENIENT TIME AND PLACE FOR THE MEDIATION CONFERENCE TO BE HELD. IF YOU DO NOT PROVIDE A LIST OF AVAILABLE DATES AND TIMES, THE MEDIATOR IS AUTHORIZED TO SCHEDULE A MEDIATION CONFERENCE WITHOUT TAKING YOUR SCHEDULE AND CONVENIENCE INTO CONSIDERATION. IN NO EVENT SHALL THE MEDIATION CONFERENCE BE LATER THAN 90 DAYS AFTER THE NOTICE OF PRESUIT MEDIATION WAS FIRST SERVED UNLESS ALL PARTIES MUTUALLY AGREE OTHERWISE. IN THE EVENT THAT YOU FAIL TO RESPOND WITHIN 20 DAYS AFTER THE DATE OF THIS NOTICE, FAIL TO PROVIDE THE MEDIATOR WITH DATES AND TIMES IN WHICH YOU ARE AVAILABLE FOR THE MEDIATION CONFERENCE, FAIL TO AGREE TO AT LEAST ONE OF THE MEDIATORS THAT THE AGGRIEVED PARTY HAS LISTED, FAIL TO PAY OR PREPAY TO THE MEDIATOR ONE-HALF OF THE COSTS INVOLVED, OR FAIL TO APPEAR AND PARTICIPATE AT THE SCHEDULED MEDIATION, THE AGGRIEVED PARTY WILL BE AUTHORIZED TO PROCEED WITH THE FILING OF A LAWSUIT AGAINST YOU WITHOUT FURTHER NOTICE. IN ANY SUBSEQUENT COURT ACTION, THE AGGRIEVED PARTY MAY SEEK AN AWARD OF REASONABLE ATTORNEY'S FEES AND COSTS INCURRED IN ATTEMPTING TO OBTAIN MEDIATION.

PLEASE GIVE THIS MATTER YOUR IMMEDIATE ATTENTION. BY LAW, YOUR RESPONSE MUST BE MAILED BY CERTIFIED, FIRST-CLASS MAIL, RETURN RECEIPT REQUESTED, TO THE AGGRIEVED PARTY LISTED ABOVE AT THE ADDRESS SHOWN ON THIS NOTICE AND POSTMARKED NO MORE THAN 20 DAYS AFTER THE DATE OF THE POSTMARKED DATE FOR THIS NOTICE OR WITHIN 20 DAYS AFTER THE DATE UPON WHICH YOU WERE SERVED WITH A COPY OF THIS NOTICE.

_____

SIGNATURE OF AGGRIEVED PARTY

_____

PRINTED NAME OF AGGRIEVED PARTY

RESPONDING PARTY: YOUR SIGNATURE BELOW INDICATES YOUR ACCEPTANCE OF THE AGREEMENT TO MEDIATE.

AGREEMENT TO MEDIATE

THE UNDERSIGNED HEREBY AGREES TO PARTICIPATE IN PRESUIT MEDIATION AND AGREES TO ATTEND A MEDIATION CONDUCTED BY THE FOLLOWING MEDIATOR(S) LISTED BELOW AS ACCEPTABLE TO MEDIATE THIS DISPUTE:

(LIST ONE ACCEPTABLE MEDIATOR FROM THOSE LISTED BY THE AGGRIEVED PARTY.)

THE UNDERSIGNED HEREBY REPRESENTS THAT HE OR SHE CAN ATTEND AND PARTICIPATE IN THE PRESUIT MEDIATION AT THE FOLLOWING DATES AND TIMES:

(LIST AT LEAST THREE AVAILABLE DATES AND TIMES WITHIN THE 90-DAY TIME LIMIT DESCRIBED ABOVE.)

I/WE FURTHER AGREE TO PAY OR PREPAY ONE-HALF OF THE MEDIATOR'S FEES AND TO FORWARD SUCH ADVANCE DEPOSITS AS THE MEDIATOR MAY REQUIRE FOR THIS PURPOSE.

_____

SIGNATURE OF RESPONDING PARTY #1

_____

TELEPHONE CONTACT INFORMATION

_____

SIGNATURE AND TELEPHONE CONTACT INFORMATION OF RESPONDING PARTY #2, IF APPLICABLE. IF THE PROPERTY IS OWNED BY MORE THAN ONE PERSON, ALL PARCEL OWNERS OR UNIT OWNERS WHO ARE SUBJECT OF THE DISPUTE MUST SIGN OR HAVE A PERSON ACTING UNDER AUTHORITY OF A POWER OF ATTORNEY SIGN.

(2)(a) Service of the notice of presuit mediation shall be effected either by personal service, as provided in chapter 48, or by certified mail, return receipt requested, in a letter in substantial conformity with the form provided in subsection (1), with an additional copy being sent by regular first-class mail, to the address of the responding party as it last appears on the books and records of the association or if not available, then as it last appears in the official records of the county property appraiser where the parcel in dispute is located. The responding party has either 20 days after the postmarked date of the mailing of the statutory notice or 20 days after the date the responding party is served with a copy of the notice to serve a written response to the aggrieved party. The response shall be served by certified mail, return receipt requested, with an additional copy being sent by regular first-class mail, to the address shown on the statutory notice. The date of the postmark on the envelope for the response shall constitute the date that the response is served. Once the parties have agreed on a mediator, the mediator may schedule or reschedule the mediation for a date and time mutually convenient to the parties within 90 days after the date of service of the statutory notice. After such 90-day period, the mediator may reschedule the mediation only upon the mutual written agreement of all the parties.

(b) The parties shall share the costs of presuit mediation equally, including the fee charged by the mediator, if any, unless the parties agree otherwise, and the mediator may require advance payment of his or her reasonable fees and costs. Each party shall be responsible for their own attorney's fees if a party chooses to be represented by an attorney at the mediation.

(c) The party responding to the aggrieved party may either provide a notice of opting out under s. 720.506, and demand arbitration, or the responding party shall sign the agreement to mediate included in the notice of presuit mediation and clearly indicate the name of the mediator who is acceptable from the five names provided by the aggrieved party, and the responding party must provide in their response a list of dates and times in which the responding party is available to participate in the mediation within 90 days after the date the responding party was served, either by process server or by certified mail, with the statutory notice of presuit mediation.

(d) The mediator who has been selected and agreed to mediate must schedule the mediation conference at a mutually convenient time and place within that 90-day period, but if the responding party does not provide a list of available dates and times, the mediator is authorized to schedule a mediation conference without taking the responding party's schedule and convenience into consideration. Within 10 days after the designation of the mediator, the mediator shall coordinate with the parties and notify the parties in writing of the date, time, and place of the mediation conference.

(e) The mediation conference must be held on the scheduled date and may be rescheduled if a rescheduled date is approved by the mediator. However, in no event shall the mediation be held later than 90 days after the notice of presuit mediation was first served, unless all parties mutually agree in writing otherwise. If the presuit mediation is not completed within the required time limits, the mediator shall declare an impasse unless the mediation date is extended by mutual written agreement by all parties and approved by the mediator.

(f) If the responding party fails to respond within 30 days after the date of service of the statutory notice of presuit mediation, fails to agree to at least one of the mediators listed by the aggrieved party in the notice, fails to pay or prepay to the mediator one-half of the costs of the mediator, or fails to appear and participate at the scheduled mediation, the aggrieved party shall be authorized to proceed with the filing of a lawsuit without further notice.

(g)1. The failure of any party to respond to the statutory notice of presuit mediation within 20 days, the failure to agree upon a mediator, the failure to provide a listing of dates and times in which the responding party is available to participate in the mediation within 90 days after the date the responding party was served with the statutory notice of presuit mediation, the failure to make payment of fees and costs within the time established by the mediator, or the failure to appear for a scheduled mediation session without the approval of the mediator, shall in each instance constitute a failure or refusal to participate in the mediation process and shall operate as an impasse in the presuit mediation by such party, entitling the other party to file a lawsuit in court and to seek an award of the costs and attorney's fees associated with the mediation.

2. Persons who fail or refuse to participate in the entire mediation process may not recover attorney's fees and costs in subsequent litigation relating to the same dispute between the same parties. If any presuit mediation session cannot be scheduled and conducted within 90 days after the offer to participate in mediation was filed, through no fault of either party, then an impasse shall be deemed to have occurred unless the parties mutually agree in writing to extend this deadline. In the event of such impasse, each party will be responsible for its own costs and attorney's fees and one-half of any mediator fees and filing fees, and either party may file a lawsuit in court regarding the dispute.

720.506 Opt-out of presuit mediation.—A party served with a notice of presuit mediation under s. 720.505, may opt out of presuit mediation and demand that the dispute proceed under nonbinding arbitration in the following manner provided in this section:

(1) In lieu of a response to the notice of presuit mediation as required under s. 720.505, the responding party may serve upon the aggrieved party in the same manner as the response to a notice for presuit mediation under s. 720.505, a notice of opting out of mediation and demand that the dispute instead proceed to presuit arbitration under s. 720.507.

(2) The aggrieved party shall be relieved from having to satisfy the requirements of s. 720.504 as a condition precedent to filing the demand for presuit arbitration.

(3) Except as otherwise provided in this part, the choice of which presuit alternative dispute resolution procedure is used shall be at the election of the aggrieved party who first initiated such proceeding after complying with the provisions of s. 720.504.

720.507 Presuit arbitration.—

(1) Disputes between an association and a parcel owner or owners and disputes between parcel owners are subject to a demand for presuit arbitration pursuant to s. 720.507, before the dispute may be filed in court. A party who elects to use the presuit arbitration procedure under this part shall serve on the responding party a written notice of presuit arbitration in substantially the following form:

STATUTORY NOTICE OF PRESUIT ARBITRATION

THE ALLEGED AGGRIEVED PARTY, _____, HEREBY DEMANDS THAT _____, AS THE RESPONDING PARTY, ENGAGE IN MANDATORY PRESUIT ARBITRATION IN CONNECTION WITH THE FOLLOWING DISPUTE(S) WITH YOU, WHICH BY STATUTE ARE OF A TYPE THAT ARE SUBJECT TO PRESUIT ARBITRATION:

(LIST SPECIFIC NATURE OF THE DISPUTE OR DISPUTES TO BE ARBITRATED AND THE AUTHORITY SUPPORTING A FINDING OF A VIOLATION AS TO EACH DISPUTE, INCLUDING, BUT NOT LIMITED TO, ALL APPLICABLE PROVISIONS OF THE GOVERNING DOCUMENTS BELIEVED TO APPLY TO THE DISPUTE BETWEEN THE PARTIES.)

PURSUANT TO PART IV OF CHAPTER 720, FLORIDA STATUTES, THIS DEMAND TO RESOLVE THE DISPUTE THROUGH PRESUIT ARBITRATION IS REQUIRED BEFORE A LAWSUIT CAN BE FILED CONCERNING THE DISPUTE. PURSUANT TO FLORIDA STATUTES, THE PARTIES ARE REQUIRED TO ENGAGE IN PRESUIT ARBITRATION WITH A NEUTRAL THIRD-PARTY ARBITRATOR IN ORDER TO ATTEMPT TO RESOLVE THIS DISPUTE WITHOUT COURT ACTION, AND THE AGGRIEVED PARTY DEMANDS THAT YOU PARTICIPATE IN THIS PROCESS. IF YOU FAIL TO PARTICIPATE IN THE ARBITRATION PROCESS, A LAWSUIT MAY BE BROUGHT AGAINST YOU IN COURT WITHOUT FURTHER WARNING.

THE PROCESS OF ARBITRATION INVOLVES A NEUTRAL THIRD PERSON WHO CONSIDERS THE LAW AND FACTS PRESENTED BY THE PARTIES AND RENDERS A WRITTEN DECISION CALLED AN "ARBITRATION AWARD." PURSUANT TO S. 720.507, FLORIDA STATUTES, THE ARBITRATION AWARD SHALL BE FINAL UNLESS A LAWSUIT IS FILED IN A COURT OF COMPETENT JURISDICTION FOR THE JUDICIAL CIRCUIT IN WHICH THE PARCEL(S) GOVERNED BY THE HOMEOWNERS' ASSOCIATION IS/ARE LOCATED WITHIN 30 DAYS AFTER THE DATE THAT THE ARBITRATION AWARD.

IF A SETTLEMENT AGREEMENT IS REACHED BEFORE THE ARBITRATION AWARD, IT SHALL BE REDUCED TO WRITING AND BECOME A BINDING AND ENFORCEABLE CONTRACT OF THE PARTIES. A RESOLUTION OF ONE OR MORE DISPUTES IN THIS FASHION AVOIDS THE NEED TO ARBITRATE THESE ISSUES OR TO LITIGATE THESE ISSUES IN COURT AND SHALL BE THE SAME AS A SETTLEMENT AGREEMENT REACHED BETWEEN THE PARTIES UNDER S. 720.505, FLORIDA STATUTES. THE FAILURE OF A PARTY TO PARTICIPATE IN THE ARBITRATION PROCESS MAY RESULT IN THE ARBITRATOR ISSUING AN ARBITRATION AWARD BY DEFAULT IN THE ARBITRATION. IF YOU HAVE FAILED OR REFUSED TO PARTICIPATE IN THE ENTIRE ARBITRATION PROCESS, YOU WILL NOT BE ENTITLED TO RECOVER ATTORNEY'S FEES, EVEN IF YOU PREVAIL IN A SUBSEQUENT COURT PROCEEDING INVOLVING THE SAME DISPUTE BETWEEN THE SAME PARTIES.

THE AGGRIEVED PARTY HAS SELECTED AT LEAST FIVE ARBITRATORS WHO THE AGGRIEVED PARTY BELIEVES TO BE NEUTRAL AND QUALIFIED TO ARBITRATE THE DISPUTE. YOU HAVE THE RIGHT TO SELECT ANY ONE OF THE ARBITRATORS. THE FACT THAT ONE PARTY MAY BE FAMILIAR WITH ONE OR MORE OF THE LISTED ARBITRATORS DOES NOT MEAN THAT THE ARBITRATOR CANNOT ACT AS A NEUTRAL AND IMPARTIAL ARBITRATOR. ANY ARBITRATOR WHO CANNOT ACT IN THIS CAPACITY IS REQUIRED ETHICALLY TO DECLINE TO ACCEPT ENGAGEMENT. THE NAMES OF THE FIVE ARBITRATORS THAT THE AGGRIEVED PARTY HAS CHOSEN FROM WHICH YOU MAY SELECT ONE, AND THEIR CURRENT ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES, ARE AS FOLLOWS:

(LIST THE NAMES, ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES OF AT LEAST FIVE ARBITRATORS.

YOU MAY CONTACT THE OFFICES OF THESE ARBITRATORS TO CONFIRM THAT THE LISTED ARBITRATORS WILL BE NEUTRAL AND WILL NOT SHOW ANY FAVORITISM TOWARD EITHER PARTY.

UNLESS OTHERWISE AGREED TO BY THE PARTIES, PART IV OF CHAPTER 720, FLORIDA STATUTES, REQUIRES THAT THE PARTIES SHARE THE COSTS OF PRESUIT ARBITRATION EQUALLY, INCLUDING THE FEE CHARGED BY THE ARBITRATOR. THE PARTIES SHALL BE RESPONSIBLE FOR THEIR OWN ATTORNEY'S FEES IF THEY CHOOSE TO EMPLOY AN ATTORNEY IN CONNECTION WITH THE ARBITRATION. HOWEVER, USE OF AN ATTORNEY TO REPRESENT YOU FOR THE ARBITRATION IS NOT REQUIRED. THE ARBITRATOR SELECTED MAY REQUIRE THE ADVANCE PAYMENT OF SOME OR ALL OF THE ANTICIPATED FEES. THE AGGRIEVED PARTY HEREBY AGREES TO PAY OR PREPAY ONE-HALF OF THE SELECTED ARBITRATOR'S ESTIMATED FEES AND TO FORWARD THIS AMOUNT OR SUCH OTHER REASONABLE ADVANCE DEPOSITS AS THE ARBITRATOR WHO IS SELECTED REQUIRES FOR THIS PURPOSE. ANY FUNDS DEPOSITED WILL BE RETURNED TO YOU IF THESE FUNDS ARE IN EXCESS OF YOUR SHARE OF THE FEES INCURRED.

PLEASE SIGN THE AGREEMENT TO ARBITRATE BELOW AND CLEARLY INDICATE THE NAME OF THE ARBITRATOR WHO IS ACCEPTABLE TO YOU FROM THE NAMES LISTED BY THE AGGRIEVED PARTY.

YOU MUST RESPOND IN WRITING TO THIS STATUTORY NOTICE WITHIN 20 DAYS AFTER THE DATE THAT THE NOTICE OF PRESUIT ARBITRATION WAS EITHER PERSONALLY SERVED ON YOU OR 20 DAYS AFTER THE POSTMARKED DATE THAT THIS NOTICE OF PRESUIT ARBITRATION WAS SENT TO YOU BY CERTIFIED MAIL. YOU MUST ALSO PROVIDE A LIST OF AT LEAST THREE DATES AND TIMES IN WHICH YOU ARE AVAILABLE TO PARTICIPATE IN THE ARBITRATION THAT ARE WITHIN 90 DAYS AFTER EITHER THE DATE YOU WERE PERSONALLY SERVED OR 90 DAYS AFTER THE POSTMARKED DATE OF THE CERTIFIED MAILING OF THIS STATUTORY NOTICE OF PRESUIT ARBITRATION. A COPY OF THIS NOTICE AND YOUR RESPONSE WILL BE PROVIDED BY THE AGGRIEVED PARTY TO THE ARBITRATOR SELECTED AND THE ARBITRATOR WILL SCHEDULE A MUTUALLY CONVENIENT TIME AND PLACE FOR THE ARBITRATION CONFERENCE TO BE HELD. IF YOU DO NOT PROVIDE A LIST OF AVAILABLE DATES AND TIMES, THE ARBITRATOR IS AUTHORIZED TO SCHEDULE AN ARBITRATION CONFERENCE WITHOUT TAKING YOUR SCHEDULE AND CONVENIENCE INTO CONSIDERATION. THE ARBITRATION CONFERENCE MUST BE HELD ON THE SCHEDULED DATE, OR ANY RESCHEUDLED DATE APPROVED BY THE ARBITRATOR. IN NO EVENT SHALL THE ARBITRATION CONFERENCE BE LATER THAN 90 DAYS AFTER NOTICE OF THE PRESUIT ARBITRATION WAS FIRST SERVED, UNLESS ALL PARTIES MUTUALLY AGREE IN WRITING OTHERWISE. IF THE ARBITRATION IS NOT COMPLETED WITHIN THE REQUIRED TIME LIMITS, THE ARBITRATOR SHALL ISSUE AN ARBITRATION AWARD, UNLESS THE HEARING IS EXTENDED BY MUTUAL WRITTEN AGREEMENT OF THE PARTIES AND APPROVED BY THE ARBITRATOR. IN THE EVENT THAT YOU FAIL TO RESPOND WITHIN 20 DAYS AFTER THE DATE YOU WERE SERVED WITH A COPY OF THIS NOTICE, FAIL TO PROVIDE THE ARBITRATOR WITH DATES AND TIMES IN WHICH YOU ARE AVAILABLE FOR THE ARBITRATION CONFERENCE, FAIL TO AGREE EITHER TO ONE OF THE ARBITRATORS THAT THE AGGRIEVED PARTY HAS NAMED, FAIL TO PAY OR PREPAY TO THE ARBITRATOR ONE-HALF OF THE COSTS INVOLVED AS REQUIRED, OR FAIL TO APPEAR AND PARTICIPATE AT THE SCHEDULED ARBITRATION CONFERENCE, THE AGGRIEVED PARTY MAY REQUEST THE ARBITRATOR TO ISSUE AN ARBITRATION AWARD. IN THE SUBSEQUENT COURT ACTION, THE AGGRIEVED PARTY SHALL BE ENTITLED TO RECOVER AN AWARD OF REASONABLE ATTORNEY'S FEES AND COSTS, INCLUDING ANY FEES PAID TO THE ARBITRATOR, INCURRED IN OBTAINING AN ARBITRATION AWARD PURSUANT TO S. 720.507, FLORIDA STATUTES.

PLEASE GIVE THIS MATTER YOUR IMMEDIATE ATTENTION. BY LAW, YOUR RESPONSE MUST BE POSTMARKED AND MAILED BY CERTIFIED, FIRST-CLASS MAIL, RETURN RECEIPT REQUESTED, TO THE ADDRESS SHOWN ON THIS NOTICE OF PRESUIT ARBITRATION.

_____

SIGNATURE OF AGGRIEVED PARTY

_____

PRINTED NAME OF AGGRIEVED PARTY

RESPONDING PARTY: YOUR SIGNATURE BELOW INDICATES

YOUR ACCEPTANCE OF THE AGREEMENT TO ARTITRATE.

AGREEMENT TO ARBITRATE

THE UNDERSIGNED HEREBY AGREES TO PARTICIPATE IN PRESUIT ARBITRATION AND AGREES TO ATTEND AN ARBITRATION CONDUCTED BY THE FOLLOWING ARBITRATOR LISTED BELOW AS SOMEONE WHO WOULD BE ACCEPTABLE TO ARBITRATE THIS DISPUTE:

(IN YOUR RESPONSE EITHER SELECT THE NAME OF ONE ARBITRATOR THAT IS ACCEPTABLE TO YOU FROM THOSE ARBITRATORS LISTED BY THE AGGRIEVED PARTY.)

THE UNDERSIGNED HEREBY REPRESENTS THAT HE OR SHE IS AVAILABLE AND ABLE TO ATTEND AND PARTICIPATE IN THE PRESUIT ARBITRATION CONFERENCE AT THE FOLLOWING DATES AND TIMES:

(LIST ALL AVAILABLE DATES AND TIMES, OF WHICH THERE MUST BE AT LEAST THREE, WITHIN 90 DAYS AFTER THE DATE ON WHICH YOU WERE SERVED, EITHER BY PROCESS SERVER OR BY CERTIFIED MAIL, WITH THE NOTICE OF PRESUIT ARBITRATION.)

I/WE FURTHER AGREE TO PAY OR PREPAY ONE-HALF OF THE ARBITRATOR'S FEES AND TO FORWARD SUCH ADVANCE DEPOSITS AS THE ARBITRATOR MAY REQUIRE FOR THIS PURPOSE.

_____

SIGNATURE OF RESPONDING PARTY #1

_____

TELEPHONE CONTACT INFORMATION

_____

SIGNATURE AND TELEPHONE CONTACT INFORMATION OF RESPONDING PARTY #2, IF APPLICABLE. IF THE PROPERTY IS OWNED BY MORE THAN ONE PERSON, ALL OWNERS MUST SIGN, OR A PERSON MAY SIGN WHO IS ACTING UNDER AUTHORITY OF A VALID POWER OF ATTORNEY GRANTED BY AN OWNER.

(2)(a) Service of the statutory notice of presuit arbitration shall be effected either by personal service, as provided in chapter 48, or by certified mail, return receipt requested, in a letter in substantial conformity with the form provided in subsection (1), with an additional copy being sent by regular first-class mail, to the address of the responding party as it last appears on the books and records of the association, or if not available, the last address as it appears on the official records of the county property appraiser for the county in which the property is situated that is subject to the association documents. The responding party has 20 days after the postmarked date of the certified mailing of the statutory notice of presuit arbitration or 20 days after the date the responding party is personally served with the statutory notice of presuit arbitration by to serve a written response to the aggrieved party. The response shall be served by certified mail, return receipt requested, with an additional copy being sent by regular first-class mail, to the address shown on the statutory notice of presuit arbitration. The postmarked date on the envelope of the response shall constitute the date the response was served.

(b) The parties shall share the costs of presuit arbitration equally, including the fee charged by the arbitrator, if any, unless the parties agree otherwise, and the arbitrator may require advance payment of his or her reasonable fees and costs. Each party shall be responsible for all of their own attorney's fees if a party chooses to be represented by an attorney for the arbitration proceedings.

(c)1. The party responding to the aggrieved party must sign the agreement to arbitrate included in the notice of presuit arbitration and clearly indicate the name of the arbitrator who is acceptable of those arbitrators listed by the aggrieved party. The responding party must provide a list of at least three dates and times in which the responding party is available to participate in the arbitration conference within 90 days after the date the responding party was served with the statutory notice of presuit arbitration.

2. The arbitrator must schedule the arbitration conference at a mutually convenient time and place, but if the responding party does not provide a list of available dates and times, the arbitrator is authorized to schedule an arbitration conference without taking the responding party's schedule and convenience into consideration. Within 10 days after the designation of the arbitrator, the arbitrator shall notify the parties in writing of the date, time, and place of the arbitration conference.

3. The arbitration conference must be held on the scheduled date and may be rescheduled if approved by the arbitrator. However, in no event shall the arbitration hearing be later than 90 days after the notice of presuit arbitration was first served, unless all parties mutually agree in writing otherwise. If the arbitration hearing is not completed within the required time limits, the arbitrator may issue an arbitration award unless the time for the hearing is extended as provided herein. If the responding party fails to respond within 20 days after the date of statutory notice of presuit arbitration, fails to agree to at least one of the arbitrators that have been listed by the aggrieved party in the presuit notice of arbitration, fails to pay or prepay to the arbitrator one-half of the costs involved, or fails to appear and participate at the scheduled arbitration, the aggrieved party is authorized to proceed with a request that the arbitrator issue an arbitration award.

(d)1. The failure of any party to respond to the statutory notice of presuit arbitration within 20 days, the failure to either select one of the five arbitrators listed by the aggrieved party, the failure to provide a listing of dates and times in which the responding party is available to participate in the arbitration conference within 90 days after the date of the responding party being served with the statutory notice of presuit arbitration, the failure to make payment of fees and costs as required within the time established by the arbitrator, or the failure to appear for an arbitration conference without the approval of the arbitrator, shall entitle the other party to request the arbitrator to enter an arbitration award including an award of the reasonable costs and attorney's fees associated with the arbitration.

2. Persons who fail or refuse to participate in the entire arbitration process may not recover attorney's fees and costs in any subsequent litigation proceeding relating to the same dispute involving the same parties.

(3)(a) In an arbitration proceeding, the arbitrator may not consider any unsuccessful mediation of the dispute.

(b) An arbitrator in a proceeding initiated pursuant to the provisions of this part may shorten the time for discovery or otherwise limit discovery in a manner consistent with the policy goals of this part to reduce the time and expense of litigating homeowners' association disputes initiated pursuant to this chapter and promoting an expeditious alternative dispute resolution procedure for parties to such actions.

(4) At the request of any party to the arbitration, the arbitrator may issue subpoenas for the attendance of witnesses and the production of books, records, documents, and other evidence, and any party on whose behalf a subpoena is issued may apply to the court for orders compelling such attendance and production. Subpoenas shall be served and are enforceable in the manner provided by the Florida Rules of Civil Procedure. Discovery may, at the discretion of the arbitrator, be permitted in the manner provided by the Florida Rules of Civil Procedure.

(5) The final arbitration award shall be sent to the parties in writing no later than 30 days after the date of the arbitration hearing, absent extraordinary circumstances necessitating a later filing the reasons for which shall be stated in the final award if filed more than 30 days after the date of the final session of the arbitration conference. An agreed arbitration award is final in those disputes in which the parties have mutually agreed to be bound. An arbitration award decided by the arbitrator is final unless a lawsuit seeking a trial de novo is filed in a court of competent jurisdiction within 30 days after the date of the arbitration award. The right to file for a trial de novo entitles the parties to file a complaint in the appropriate trial court for a judicial resolution of the dispute. The prevailing party in an arbitration proceeding shall be awarded the costs of the arbitration and reasonable attorney's fees in an amount determined by the arbitrator.

(6) The party filing a motion for a trial de novo shall be assessed the other party's arbitration costs, court costs, and other reasonable costs, including attorney's fees, investigation expenses, and expenses for expert or other testimony or evidence incurred after the arbitration hearing if the judgment upon the trial de novo is not more favorable than the final arbitration award.

720.508 Rules of procedure.—

(1) Presuit mediation and presuit arbitration proceedings under this part must be conducted in accordance with the applicable Florida Rules of Civil Procedure and rules governing mediations and arbitrations under chapter 44, except this part shall be controlling to the extent of any conflict with other applicable rules or statutes. The arbitrator can shorten any applicable time period and otherwise limit the scope of discovery on request of the parties or within the discretion of the arbitrator exercised consistent with the purpose and objective of reducing the expense and expeditiously concluding proceedings under this part.

(2) Presuit mediation proceedings under s. 720.505 are privileged and confidential to the same extent as court-ordered mediation under chapter 44. An arbitrator or judge may not consider any information or evidence arising from the presuit mediation proceeding except in a proceeding to impose sanctions for failure to attend a presuit mediation session or to enforce a mediated settlement agreement.

(3) Persons who are not parties to the dispute may not attend the presuit mediation conference without consent of all parties, with the exception of counsel for the parties and a corporate representative designated by the association. Presuit mediations under this part are not a board meeting for purposes of notice and participation set forth in this chapter.

(4) Attendance at a mediation conference by the board of directors shall not require notice or participation by nonboard members as otherwise required by this chapter for meetings of the board.

(5) Settlement agreements resulting from a mediation or arbitration proceeding do not have precedential value in proceedings involving parties other than those participating in the mediation or arbitration.

(6) Arbitration awards by an arbitrator shall have precedential value in other proceedings involving the same association or with respect to the same parcel owner.

720.509 Mediators and arbitrators; qualifications and registration.—A person is authorized to conduct mediation or arbitration under this part if he or she has been certified as a circuit court civil mediator pursuant to the requirements adopted pursuant to s. 44.106, is a member in good standing with The Florida Bar, and otherwise meets all other requirements imposed by chapter 44.

720.510 Enforcement of mediation agreement or arbitration award.—

(1) A mediation settlement may be enforced through the county or circuit court, as applicable, and any costs and attorney's fees incurred in the enforcement of a settlement agreement reached at mediation shall be awarded to the prevailing party in any enforcement action.

(2) Any party to an arbitration proceeding may enforce an arbitration award by filing a petition in a court of competent jurisdiction in which the homeowners' association is located. The prevailing party in such proceeding shall be awarded reasonable attorney's fees and costs incurred in such proceeding.

(3) If a complaint is filed seeking a trial de novo, the arbitration award shall be stayed and a petition to enforce the award may not be granted. Such award, however, shall be admissible in the court proceeding seeking a trial de novo.

Section 12. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to residential properties; amending s. 514.011, F.S.; defining the term "homeowners' association"; amending s. 514.0115, F.S.; providing for the regulation and exemption from regulation for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting a salary or compensation for certain association personnel; providing exceptions; amending s. 720.305, F.S.; authorizing fines assessed against members which exceed a certain amount to become a lien against a parcel; amending s. 720.306, F.S.; providing requirements for secret ballots; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain certifications for a specified time; amending s. 720.401, F.S.; requiring that the disclosure summary to prospective parcel owners include additional provisions; amending s. 34.01, F.S.; correcting a cross-reference to conform; amending s. 720.302, F.S.; correcting a cross-reference to conform; establishing legislative intent; repealing s. 720.311, F.S., relating to a procedure for dispute resolution in homeowners' associations; providing that dispute resolution cases pending on the date of repeal will continue under the repealed provisions; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; creating legislative findings; creating s. 720.503, F.S.; setting applicability of provisions for mediation and arbitration applicable to disputes in homeowners' associations; creating exceptions; proving applicability; tolling applicable statutes of limitations; creating s. 720.504, F.S; requiring that the notice of dispute be delivered before referral to mediation; creating s. 720.505, F.S.; creating a statutory notice form for referral to mediation; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of a mediator and times to meet; providing penalties for failure to mediate; creating s. 720.506, F.S.; creating an opt-out provision; creating s. 720.507, F.S.; creating a statutory notice form for referral to arbitration; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of an arbitrator and times to meet; providing penalties for failure to arbitrate; creating s. 720.508, F.S.; providing for rules of procedure; providing for confidentiality; creating s. 720.509, F.S.; setting qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation agreements and arbitration awards; providing an effective date.

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

Amendment 1A (317014)(with directory amendment)—And the directory clause is amended as follows:

On lines 463, 470, 493, and 494, after the period (.) insert:

Effective July 1, 2009,

Amendment 1B (281852)(with title amendment)—Between lines 77 and 78 and insert:

Section 4. Paragraph (d) of subsection (2) of section 718.112, Florida Statutes, is amended to read:

718.112 Bylaws.—

(2) REQUIRED PROVISIONS.—The bylaws shall provide for the following and, if they do not do so, shall be deemed to include the following:

(d) Unit owner meetings.—

1. There shall be an annual meeting of the unit owners *held at the location provided in the association bylaws and, if the bylaws are silent as to the location, the meeting shall be held within 45 miles of the condominium property. However, such distance requirement does not apply to an association governing a timeshare condominium*. Unless the bylaws provide otherwise, a vacancy on the board caused by the expiration of a director's term shall be filled by electing a new board member, and the election shall be by secret ballot; however, if the number of vacancies equals or exceeds the number of candidates, no election is required. ~~If there is no provision in the bylaws for terms of the members of the board,~~ The terms of all members of the board shall expire ~~upon the election of their successors~~ at the annual meeting *and such board members may stand for reelection unless otherwise permitted by the bylaws. In the event that the bylaws permit staggered terms of no more than 2 years and upon approval of a majority of the total voting interests, the association board members may serve 2-year staggered terms. If no person is interested in or demonstrates an intention to run for the position of a board member whose term has expired according to the provisions of this subparagraph, such board member whose term has expired shall be automatically reappointed to the board of administration and need not stand for reelection. In a condominium association of more than 10 units, coowners of a unit may not serve as members of the board of directors at the same time*. Any unit owner desiring to be a candidate for board membership shall comply with subparagraph 3. A person who has been *suspended or removed by the division under this chapter, or who is delinquent in the payment of any fee or assessment as provided in paragraph (n), is not eligible for board membership. A person who has been* convicted of any felony *in this state or* ~~by any court of record~~ in *a* ~~the~~ United States *District or Territorial Court, or who has been convicted of any offense in another jurisdiction that would be considered a felony if committed in this state,* ~~and who has not had his or her right to vote restored pursuant to law in the jurisdiction of his or her residence~~ is not eligible for board membership *unless such felon's civil rights have been restored for a period of no less than 5 years as of the date on which such person seeks election to the board*. The validity of an action by the board is not affected if it is later determined that a member of the board is ineligible for board membership due to having been convicted of a felony.

2. The bylaws shall provide the method of calling meetings of unit owners, including annual meetings. Written notice, which notice must include an agenda, shall be mailed, hand delivered, or electronically transmitted to each unit owner at least 14 days prior to the annual meeting and shall be posted in a conspicuous place on the condominium property at least 14 continuous days preceding the annual meeting. Upon notice to the unit owners, the board shall by duly adopted rule designate a specific location on the condominium property or association property upon which all notices of unit owner meetings shall be posted; however, if there is no condominium property or association property upon which notices can be posted, this requirement does not apply. In lieu of or in addition to the physical posting of notice of any meeting of the unit owners on the condominium property, the association may, by

reasonable rule, adopt a procedure for conspicuously posting and repeatedly broadcasting the notice and the agenda on a closed-circuit cable television system serving the condominium association. However, if broadcast notice is used in lieu of a notice posted physically on the condominium property, the notice and agenda must be broadcast at least four times every broadcast hour of each day that a posted notice is otherwise required under this section. When broadcast notice is provided, the notice and agenda must be broadcast in a manner and for a sufficient continuous length of time so as to allow an average reader to observe the notice and read and comprehend the entire content of the notice and the agenda. Unless a unit owner waives in writing the right to receive notice of the annual meeting, such notice shall be hand delivered, mailed, or electronically transmitted to each unit owner. Notice for meetings and notice for all other purposes shall be mailed to each unit owner at the address last furnished to the association by the unit owner, or hand delivered to each unit owner. However, if a unit is owned by more than one person, the association shall provide notice, for meetings and all other purposes, to that one address which the developer initially identifies for that purpose and thereafter as one or more of the owners of the unit shall so advise the association in writing, or if no address is given or the owners of the unit do not agree, to the address provided on the deed of record. An officer of the association, or the manager or other person providing notice of the association meeting, shall provide an affidavit or United States Postal Service certificate of mailing, to be included in the official records of the association affirming that the notice was mailed or hand delivered, in accordance with this provision.

3. The members of the board shall be elected by written ballot or voting machine. Proxies shall in no event be used in electing the board, either in general elections or elections to fill vacancies caused by recall, resignation, or otherwise, unless otherwise provided in this chapter. Not less than 60 days before a scheduled election, the association shall mail, deliver, or electronically transmit, whether by separate association mailing or included in another association mailing, delivery, or transmission, including regularly published newsletters, to each unit owner entitled to a vote, a first notice of the date of the election. Any unit owner or other eligible person desiring to be a candidate for the board must give written notice to the association not less than 40 days before a scheduled election. Together with the written notice and agenda as set forth in subparagraph 2., the association shall mail, deliver, or electronically transmit a second notice of the election to all unit owners entitled to vote therein, together with a ballot which shall list all candidates. Upon request of a candidate, the association shall include an information sheet, no larger than 81/2 inches by 11 inches, which must be furnished by the candidate not less than 35 days before the election, to be included with the mailing, delivery, or transmission of the ballot, with the costs of mailing, delivery, or electronic transmission and copying to be borne by the association. The association is not liable for the contents of the information sheets prepared by the candidates. In order to reduce costs, the association may print or duplicate the information sheets on both sides of the paper. The division shall by rule establish voting procedures consistent with the provisions contained herein, including rules establishing procedures for giving notice by electronic transmission and rules providing for the secrecy of ballots. Elections shall be decided by a plurality of those ballots cast. There shall be no quorum requirement; however, at least 20 percent of the eligible voters must cast a ballot in order to have a valid election of members of the board. No unit owner shall permit any other person to vote his or her ballot, and any such ballots improperly cast shall be deemed invalid, provided any unit owner who violates this provision may be fined by the association in accordance with s. 718.303. A unit owner who needs assistance in casting the ballot for the reasons stated in s. 101.051 may obtain assistance in casting the ballot. The regular election shall occur on the date of the annual meeting. The provisions of this subparagraph shall not apply to timeshare condominium associations. Notwithstanding the provisions of this subparagraph, an election is not required unless more candidates file notices of intent to run or are nominated than board vacancies exist.

4. Any approval by unit owners called for by this chapter or the applicable declaration or bylaws, including, but not limited to, the approval requirement in s. 718.111(8), shall be made at a duly noticed meeting of unit owners and shall be subject to all requirements of this chapter or the applicable condominium documents relating to unit owner decisionmaking, except that unit owners may take action by written agreement, without meetings, on matters for which action by written agreement without meetings is expressly allowed by the applicable bylaws or declaration or any statute that provides for such action.

5. Unit owners may waive notice of specific meetings if allowed by the applicable bylaws or declaration or any statute. If authorized by the bylaws, notice of meetings of the board of administration, unit owner meetings, except unit owner meetings called to recall board members under paragraph (j), and committee meetings may be given by electronic transmission to unit owners who consent to receive notice by electronic transmission.

6. Unit owners shall have the right to participate in meetings of unit owners with reference to all designated agenda items. However, the association may adopt reasonable rules governing the frequency, duration, and manner of unit owner participation.

7. Any unit owner may tape record or videotape a meeting of the unit owners subject to reasonable rules adopted by the division.

8. Unless otherwise provided in the bylaws, any vacancy occurring on the board before the expiration of a term may be filled by the affirmative vote of the majority of the remaining directors, even if the remaining directors constitute less than a quorum, or by the sole remaining director. In the alternative, a board may hold an election to fill the vacancy, in which case the election procedures must conform to the requirements of subparagraph 3. unless the association *governs 10 units or less and* has opted out of the statutory election process, in which case the bylaws of the association control. Unless otherwise provided in the bylaws, a board member appointed or elected under this section shall fill the vacancy for the unexpired term of the seat being filled. Filling vacancies created by recall is governed by paragraph (j) and rules adopted by the division.

9. Within 30 days after being elected to the board of directors, a new director shall certify in writing to the secretary of the association that he or she has read the association's declarations of covenants and restrictions, articles of incorporation, bylaws, and current written policies, he or she will work to uphold such documents and policies to the best of his or her ability, and he or she will faithfully discharge his or her fiduciary responsibility to the association's members. Failure to timely file the statement automatically disqualifies the director from service on the association's board of directors. The secretary shall cause the association to retain a director's certification for inspection by the members for 5 years after a director's election. Failure to have such certification on file does not affect the validity of any appropriate action.

Notwithstanding subparagraphs (b)2. and (d)3., an association *of 10 or fewer units* may, by the affirmative vote of a majority of the total voting interests, provide for different voting and election procedures in its bylaws, which vote may be by a proxy specifically delineating the different voting and election procedures. The different voting and election procedures may provide for elections to be conducted by limited or general proxy.

And the title is amended as follows:

On line 1305, after the second semicolon (;) and insert: amending s. 718.112, F.S.; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; requiring each newly elected director to certify to the secretary of the association that he or she has read the association's declarations of covenants and restrictions, articles of incorporation, bylaws, and current written policies and will work to uphold such documents and policies to the best of his or her ability; providing that a failure to timely file the statement automatically disqualifies the director from service on the association's board of directors; requiring the secretary of the association to retain a director's certification for inspection by the members for a specified period of years after a director's election;

Amendment 1C (195742)(with title amendment)—Between line(s) 1292 and 1293 insert:

Section 12. *(1) Notwithstanding any other provisions of law, any three or more condominium associations may form a self-insurance fund for the purposes of pooling and spreading the liabilities of its participant associations arising from the deductible provisions of the commercial lines residential property insurance policies of the participants applicable to hurricane losses, if:*

(a) Such fund is a not-for-profit corporation pursuant to chapter 617, Florida Statutes.

(b) The fund is implemented through contracts among the participating associations, or through contracts between the participating associations and another legal entity established for and limited to establishing and implementing the program.

(c) The liability of the fund for claims is limited to funds available for the payment of claims.

(d) The contract provided to a participating association clearly discloses the obligations of the participants in the fund and the obligations of the fund, including the limited liability of the fund as defined in paragraph (c). The contract must specify a reasonable date for the payment of claims which provides the fund with adequate time to verify and account for all claims for a given year so that claims payments can be properly calculated after consideration of the funds available. Before execution of the contract, the association or its representative must be provided a separate disclosure form specifying the limited liability of the fund and all administrative fees and estimated expenses, and provide examples of the manner in which available funds will be allocated among claimants if claims exceed the funds available for the payment thereof. Such disclosure must be signed by a representative of the participating association before or at the time of execution of the contract.

(e) The contributions charged for participating in the fund are established by the fund and calculated as a percentage of the participant's hurricane deductible dollar amount. The fund may determine the method and timing of payment of contributions.

(f) All members of the governing board of the fund must be participating associations in the fund and the governing body shall have all powers necessary to establish and administer the fund as authorized by the participants in the fund. All decisions of the fund shall be based upon a vote of the majority of the board. The board may contract with individual professionals to administer the fund.

(g) The fund uses and contracts with knowledgeable persons or business entities to administer and service the fund, including marketing, policy, contract administration, claims administration, accounting services, and legal services.

(h) The fund uses a properly licensed general lines insurance agent who is a Florida resident for solicitation of participation in the fund and does not prevent, impede, or restrict any applicant or participant in the fund from maintaining or selecting an agent of choice. The fund may not favor one or more agents over another agent. The organizational documents, the contract and notices of disclosure must be filed with the Office of Insurance Regulation not less than 45 days prior to solicitation by the fund.

(i) The fund is audited by an independent auditor no less frequently than every 2 years.

(2) The fund may accumulate funds or periodically distribute excess funds to its participants on a pro rata basis, reflecting loss experience of individual participants and proportionate contributions paid by participants.

(3) Participants in the fund must have a deductible no greater than as provided in s. 627.701(8), Florida Statutes. Self-insurance funds or pools established pursuant to this section are not subject to licensure requirements or regulation pursuant to the Florida Insurance Code except for part IX of chapter 626, Florida Statutes, which may be enforced by the Office of Insurance Regulation or the Department of Financial Services, as applicable, and are not subject to any fees, taxes, or assessments related to the writing or transaction of insurance in this state.

And the title is amended as follows:

On line(s) 1354, after the semicolon (;) insert: providing that any three or more condominium associations may form a self-insurance fund for certain purposes under certain conditions; requiring that the contract for participating in the fund disclose certain information and contain certain provisions; requiring that a disclosure be provided to an association before execution of such contract; requiring that such disclosure contain certain information; providing for the charging of contributions for participation in the fund; requiring that the majority of the governing board of the fund be participants in the fund; providing powers of the governing board; authorizing the fund to enter into certain contracts; requiring that the fund use a general lines agent meeting certain criteria when soliciting participation in the fund; prohibiting the fund from taking certain actions when selecting such agent; requiring that the fund be independently audited at specified intervals; authorizing the fund to accumulate funds or distribute excess funds to participants on a pro rata basis; providing for a deductible for participants in the fund; exempting such self-insurance funds from certain requirements, regulations, fees, taxes, and assessments;

Amendment 1D (118292)—Delete line(s) 1293 and insert:

Section 12. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

Amendment 1 as amended was adopted.

On motion by Senator Posey, by two-thirds vote **CS for CS for HB 679** 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
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Crist

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

BILLS ON THIRD READING, continued

CS for CS for SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; providing an exemption; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed

sexual offenses against a minor younger than 16 years of age; providing an effective date.

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

MOTION

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

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

Amendment 1 (676634)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (3) and paragraph (b) of subsection (10) of section 775.21, Florida Statutes, are amended to read:

775.21 The Florida Sexual Predators Act.—

(3) LEGISLATIVE FINDINGS AND PURPOSE; LEGISLATIVE INTENT.—

(b) The high level of threat that a sexual predator presents to the public safety, and the long-term effects suffered by victims of sex offenses, provide the state with sufficient justification to implement a strategy that includes:

1. Incarcerating sexual predators and maintaining adequate facilities to ensure that decisions to release sexual predators into the community are not made on the basis of inadequate space.

2. Providing for specialized supervision of sexual predators who are in the community by specially trained probation officers with low caseloads, as described in ss. 947.1405(7) and 948.30. The sexual predator is subject to specified terms and conditions implemented at sentencing or at the time of release from incarceration, with a requirement that *only* those *sexual predators found to be indigent may defer payment pursuant to s. 28.246 of all or part of the costs in accordance with the provisions of that section* ~~who are financially able must pay all or part of the costs of supervision~~.

3. Requiring the registration of sexual predators, with a requirement that complete and accurate information be maintained and accessible for use by law enforcement authorities, communities, and the public.

4. Providing for community and public notification concerning the presence of sexual predators.

5. Prohibiting sexual predators from working with children, either for compensation or as a volunteer.

(10) PENALTIES.—

(b) A sexual predator who has been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation, or attempted violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; *s. 794.011(2), (3), (4), (5), or (8)* ~~s. 794.011, excluding s. 794.011(10)~~; s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 827.071; s. 847.0133; s. 847.0145; or s. 985.701(1); or a violation of a similar law of another jurisdiction when the victim of the offense was a minor, and who works, whether for compensation or as a volunteer, at any business *where children regularly congregate*, school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children regularly congregate, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 775.215, Florida Statutes, is created to read:

775.215 Residency distance limitations for persons convicted of certain sexual offenses; certain local ordinances preempted and repealed.—The adoption of residency distance limitations for persons convicted of sexual offenses, including, but not limited to, violations of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, is expressly preempted to the state. The provisions of ss. 794.065, 947.1405, and 948.30 establishing such distance limitations supersede the distance limitations included in any such municipal or county ordinances. Any such residency distance limitations adopted by a county or municipality prior to July 1, 2009, are hereby repealed and abolished as of July 1, 2009. However, after July 1, 2009, the governing body of a county or municipality, may, upon the written recommendation of the chief law enforcement officer of such county or municipality and upon a finding of public necessity by said governing body, adopt by a 2/3 vote an ordinance that increases the distance limitations contained in s. 794.065 up to a maximum distance of 2,000 feet. Any person who is subject to the residency distance limitations in s. 794.065, s. 947.1405, or s. 948.30 who changes his or her place of residence after July 1, 2009, is subject to the residency distance limitations adopted pursuant to such county or municipal ordinance.

Section 3. Subsection (2) of section 775.24, Florida Statutes, is amended to read:

775.24 Duty of the court to uphold laws governing sexual predators and sexual offenders.—

(2) If a person meets the criteria in this chapter for designation as a sexual predator or meets the criteria in s. 943.0435, s. 944.606, s. 944.607, or any other law for classification as a sexual offender, the court may not enter an order, for the purpose of approving a plea agreement or for any other reason, which:

(a) Exempts a person who meets the criteria for designation as a sexual predator or classification as a sexual offender from such designation or classification, or exempts such person from the requirements for registration or community and public notification imposed upon sexual predators and sexual offenders*, exempts such person from the residency distance limitations contained in ss. 794.065, 947.1405, and 948.30, or exempts such person from the provisions of s. 794.0701*;

(b) Restricts the compiling, reporting, or release of public records information that relates to sexual predators or sexual offenders; or

(c) Prevents any person or entity from performing its duties or operating within its statutorily conferred authority as such duty or authority relates to sexual predators or sexual offenders.

Section 4. Section 794.065, Florida Statutes, is amended to read:

794.065 Unlawful place of residence for persons convicted of certain sex offenses.—

(1)*(a)1.* It is unlawful for any person who has been convicted of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, to reside within 1,000 feet of any school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, or playground.

2. A person who violates this *subsection* ~~section~~ and whose conviction *for an offense listed in subparagraph 1.* ~~under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145~~ was classified as*:*

a. A felony of the first degree or higher commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. ~~A person who violates this section and whose conviction under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 was classified as~~

b. A felony of the second or third degree commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) This section applies to any person convicted of *an offense listed in subparagraph (1)(a)1. if the offense occurred* ~~a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 for offenses that occur~~ on or after October 1, 2004.

(3) The distances in this section shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, child care facility, park as defined in s. 794.0701, or playground.

Section 5. Section 794.0701, Florida Statutes, is created to read:

794.0701 Loitering or prowling by persons convicted of certain sex offenses.—

(1) Any person who:

(a) Has been convicted of a violation of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was younger than 16 years of age; and

(b) Loiters or prowls as proscribed in s. 856.021 within 300 feet of a place where children regularly congregate, including a school, designated public school bus stop, child care facility, playground, or park as defined in s. 794.0701, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) "Child care facility" has the same meaning as provided in s. 402.302.

(3) "Park" means and includes all public and private property specifically designated as being used for park and recreational purposes and where children regularly congregate.

(4) "School" has the same meaning as provided in s. 1003.01 and includes a "private school" as defined in s. 1002.01, a "voluntary prekindergarten education program" as described in s. 1002.53(3), a "public school" as described in s. 402.3025(1), the Florida School for the Deaf and the Blind, the Florida Virtual School as established in s. 1002.37, and a K-8 Virtual School as established in s. 1002.415, excluding facilities dedicated exclusively to the education of adults.

Section 6. Subsection (2) and subsection (7) of section 947.1405, Florida Statutes, are amended to read:

947.1405 Conditional release program.—

(2)*(a)* Any inmate who:

1.~~(a)~~ Is convicted of a crime committed on or after October 1, 1988, and before January 1, 1994, ~~and any inmate who~~ is convicted of a crime committed on or after January 1, 1994, which crime is or was contained in category 1, category 2, category 3, or category 4 of Rule 3.701 and Rule 3.988, Florida Rules of Criminal Procedure (1993), and who has served at least one prior felony commitment at a state or federal correctional institution;

2.~~(b)~~ Is sentenced as a habitual or violent habitual offender or a violent career criminal pursuant to s. 775.084; or

3.~~(c)~~ Is found to be a sexual predator under s. 775.21 or former s. 775.23,

shall, upon reaching the tentative release date or provisional release date, whichever is earlier, as established by the Department of Corrections, be released under supervision subject to specified terms and conditions, including payment of the cost of supervision pursuant to s. 948.09. Such supervision shall be applicable to all sentences within the overall term of sentences if an inmate's overall term of sentences includes one or more sentences that are eligible for conditional release supervision as provided herein.

(b) Effective July 1, 1994, and applicable for offenses committed on or after that date, the commission may require, as a condition of conditional release, that the releasee make payment of the debt due and owing to a county or municipal detention facility under s. 951.032 for medical care, treatment, hospitalization, or transportation received by the releasee while in that detention facility. The commission, in determining whether to order such repayment and the amount of such repayment, shall consider the amount of the debt, whether there was any fault of the institution for the medical expenses incurred, the financial resources of the releasee, the present and potential future financial needs and earning ability of the releasee, and dependents, and other appropriate factors.

(c) If any inmate placed on conditional release supervision is also subject to probation or community control, resulting from a probationary or community control split sentence within the overall term of sentences, the Department of Corrections shall supervise such person according to the conditions imposed by the court and the commission shall defer to such supervision. If the court revokes probation or community control and resentences the offender to a term of incarceration, such revocation also constitutes a sufficient basis for the revocation of the conditional release supervision on any nonprobationary or noncommunity control sentence without further hearing by the commission. If any such supervision on any nonprobationary or noncommunity control sentence is revoked, such revocation may result in a forfeiture of all gain-time, and the commission may revoke the resulting deferred conditional release supervision or take other action it considers appropriate. If the term of conditional release supervision exceeds that of the probation or community control, then, upon expiration of the probation or community control, authority for the supervision shall revert to the commission and the supervision shall be subject to the conditions imposed by the commission.

(d) A panel of no fewer than two commissioners shall establish the terms and conditions of any such release. If the offense was a controlled substance violation, the conditions shall include a requirement that the offender submit to random substance abuse testing intermittently throughout the term of conditional release supervision, upon the direction of the correctional probation officer as defined in s. 943.10(3). The commission shall also determine whether the terms and conditions of such release have been violated and whether such violation warrants revocation of the conditional release.

(7)(a) Any inmate who is convicted of a crime committed on or after October 1, 1995, or who has been previously convicted of a crime committed on or after October 1, 1995, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and is subject to conditional release supervision, shall have, in addition to any other conditions imposed, the following special conditions imposed by the commission:

1. A mandatory curfew from 10 p.m. to 6 a.m. The commission may designate another 8-hour period if the offender's employment precludes the above specified time, and such alternative is recommended by the Department of Corrections. If the commission determines that imposing a curfew would endanger the victim, the commission may consider alternative sanctions.

2.*a.* If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, designated public school bus stop, or other place where children regularly congregate. A releasee who is subject to this subparagraph may not relocate to a residence that is within 1,000 feet of a public school bus stop.

b. Beginning October 1, 2004, the commission or the department may not approve a residence that is located within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, designated school bus stop, or other place where children regularly congregate for any releasee who is subject to this subparagraph. On October 1, 2004, the department shall notify each affected school district of the location of the residence of a releasee 30 days prior to release and thereafter, if the releasee relocates to a new residence, shall notify any affected school district of the residence of the releasee within 30 days after relocation. If, on October 1, 2004, any public school bus stop is located within 1,000 feet of the existing residence of such releasee, the district school board shall relocate that school bus stop. Beginning October 1, 2004, a district school board may not establish or relocate a public school bus stop within 1,000 feet of the residence of a releasee who is subject to this subparagraph. The failure of the district school board to comply with this subparagraph shall not result in a violation of conditional release supervision.

3. Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the releasee's own expense. If a qualified practitioner is not available within a 50-mile radius of the releasee's residence, the offender shall participate in other appropriate therapy.

4. A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.

5. If the victim was under the age of 18, a prohibition against contact with children under the age of 18 without review and approval by the commission. The commission may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The commission may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time. When considering

whether to approve supervised contact with a child, the commission must review and consider the following:

a. A risk assessment completed by a qualified practitioner. The qualified practitioner must prepare a written report that must include the findings of the assessment and address each of the following components:

(I) The sex offender's current legal status;

(II) The sex offender's history of adult charges with apparent sexual motivation;

(III) The sex offender's history of adult charges without apparent sexual motivation;

(IV) The sex offender's history of juvenile charges, whenever available;

(V) The sex offender's offender treatment history, including a consultation from the sex offender's treating, or most recent treating, therapist;

(VI) The sex offender's current mental status;

(VII) The sex offender's mental health and substance abuse history as provided by the Department of Corrections;

(VIII) The sex offender's personal, social, educational, and work history;

(IX) The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;

(X) A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;

(XI) The child's preference and relative comfort level with the proposed contact, when age-appropriate;

(XII) The parent's or legal guardian's preference regarding the proposed contact; and

(XIII) The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the commission.

b. A recommendation made as a part of the risk-assessment report as to whether supervised contact with the child should be approved;

c. A written consent signed by the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, agreeing to the sex offender having supervised contact with the child after receiving full disclosure of the sex offender's present legal status, past criminal history, and the results of the risk assessment. The commission may not approve contact with the child if the parent or legal guardian refuses to give written consent for supervised contact;

d. A safety plan prepared by the qualified practitioner, who provides treatment to the offender, in collaboration with the sex offender, the child's parent or legal guardian, and the child, when age appropriate, which details the acceptable conditions of contact between the sex offender and the child. The safety plan must be reviewed and approved by the Department of Corrections before being submitted to the commission; and

e. Evidence that the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, understands the need for and agrees to the safety plan and has agreed to provide, or to designate another adult to provide, constant supervision any time the child is in contact with the offender.

The commission may not appoint a person to conduct a risk assessment and may not accept a risk assessment from a person who has not demonstrated to the commission that he or she has met the requirements of a qualified practitioner as defined in this section.

6. If the victim was under age 18, a prohibition on working for pay or as a volunteer at any school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children regularly congregate, as prescribed by the commission.

7. Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

8. Effective for a releasee whose crime is committed on or after July 1, 2005, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

9. A requirement that the releasee must submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA database.

10. A requirement that the releasee make restitution to the victim, as determined by the sentencing court or the commission, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.

11. Submission to a warrantless search by the community control or probation officer of the probationer's or community controllee's person, residence, or vehicle.

(b) For a releasee whose crime was committed on or after October 1, 1997, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and who is subject to conditional release supervision, in addition to any other provision of this subsection, the commission shall impose the following additional conditions of conditional release supervision:

1. As part of a treatment program, participation in a minimum of one annual polygraph examination to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. The polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and at the expense of the sex offender. The results of the polygraph examination shall not be used as evidence in a hearing to prove that a violation of supervision has occurred.

2. Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.

3. A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.

4. If there was sexual contact, a submission to, at the probationer's or community controllee's expense, an HIV test with the results to be released to the victim or the victim's parent or guardian.

5. Electronic monitoring of any form when ordered by the commission.

Section 7. Subsection (4) of section 948.06, Florida Statutes, is amended to read:

948.06 Violation of probation or community control; revocation; modification; continuance; failure to pay restitution or cost of supervision.—

(4) Notwithstanding any other provision of this section, a felony probationer or an offender in community control who is arrested for violating his or her probation or community control in a material respect may be taken before the court in the county or circuit in which the probationer or offender was arrested. That court shall advise him or her of *such* ~~the~~ charge of a violation and, if such charge is admitted, shall cause him or her to be brought before the court that granted the probation or community control. If *such* ~~the~~ violation is not admitted by the probationer or offender, the court may commit him or her or release him or her with or without bail to await further hearing. However, if the probationer or offender is under supervision for any criminal offense proscribed in chapter 794, s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a registered sexual predator or a registered sexual offender, or is under supervision for a criminal offense for which he or she would meet the registration criteria in s. 775.21, s. 943.0435, or s. 944.607 but for the

effective date of those sections, the court must make a finding that the probationer or offender *poses no* ~~is not a~~ danger to the public prior to release with or without bail. In determining *whether the offender poses no danger to the public* ~~the danger posed by the offender's or probationer's release~~, the court may consider the nature and circumstances of the violation and any new offenses charged; the offender's or probationer's past and present conduct, including convictions of crimes; any record of arrests without conviction for crimes involving violence or sexual crimes; any other evidence of allegations of unlawful sexual conduct or the use of violence by the offender or probationer; the offender's or probationer's family ties, length of residence in the community, employment history, and mental condition; his or her history and conduct during the probation or community control supervision from which the violation arises and any other previous supervisions, including disciplinary records of previous incarcerations; the likelihood that the offender or probationer will engage again in a criminal course of conduct; the weight of the evidence against the offender or probationer; and any other facts the court considers relevant. The court, as soon as is practicable, shall give the probationer or offender an opportunity to be fully heard on his or her behalf in person or by counsel. After *such* ~~the~~ hearing, the court shall make findings of fact and forward the findings to the court that granted the probation or community control and to the probationer or offender or his or her attorney. The findings of fact by the hearing court are binding on the court that granted the probation or community control. Upon the probationer or offender being brought before it, the court that granted the probation or community control may revoke, modify, or continue the probation or community control or may place the probationer into community control as provided in this section. However, the probationer or offender shall not be released and shall not be admitted to bail, but shall be brought before the court that granted the probation or community control if any violation of felony probation or community control other than a failure to pay costs or fines or make restitution payments is alleged to have been committed by:

(a) A violent felony offender of special concern, as defined in this section;

(b) A person who is on felony probation or community control for any offense committed on or after the effective date of this act and who is arrested for a qualifying offense as defined in this section; or

(c) A person who is on felony probation or community control and has previously been found by a court to be a habitual violent felony offender as defined in s. 775.084(1)(b), a three-time violent felony offender as defined in s. 775.084(1)(c), or a sexual predator under s. 775.21, and who is arrested for committing a qualifying offense as defined in this section on or after the effective date of this act.

Section 8. Paragraph (b) of subsection (1) and subsection (3) of section 948.30, Florida Statutes, are amended to read:

948.30 Additional terms and conditions of probation or community control for certain sex offenses.—Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

(1) Effective for probationers or community controllees whose crime was committed on or after October 1, 1995, and who are placed under supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, the court must impose the following conditions in addition to all other standard and special conditions imposed:

(b) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children *regularly* congregate. The distance may not be measured by a pedestrian route or automobile route.

(3) Effective for a probationer or community controllee whose crime was committed on or after September 1, 2005, and who:

(a) Is placed on probation or community control for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim *younger than 16* ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim *younger than 16* ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older,

the court must order, in addition to any other provision of this section, mandatory electronic monitoring as a condition of the probation or community control supervision.

Section 9. Subsection (3) is added to section 257.12, Florida Statutes, to read:

257.12 Division of Library and Information Services authorized to accept and expend federal funds.—

(3) All public libraries are encouraged to adopt an Internet safety education program, including the implementation of a computer-based educational program, that has been endorsed by a United States government-sanctioned law enforcement agency or other reputable organization and is designed for children and adults. The purpose of the Internet safety education program is to promote the use of prudent online deportment and broaden awareness of online predators. The program shall be interactive and age appropriate. Each library shall annually report to the division the annual number of users who complete the education program. By April 1, 2009, the division shall adopt rules for rewarding those libraries in the program grant application process which have had 1 percent or more of their annual number of users, based on the total number of registered borrowers from the preceding year, complete the education program adopted by the library. Users completing the program as a result of strategic partnerships or collaboration between the library and other entities shall be integrated into the library's annual report. The division shall adopt rules to, beginning with the grant application cycle for the 2010-2011 fiscal year, allocate 10 percent of the total points available in the library services and technology grant application evaluation process to public libraries that are in compliance with this section.

Section 10. This act shall take effect July 1, 2009.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; providing that persons subject to residency distance limitations who change their place of residence are subject to residency distance limitations as adopted by county or municipal ordinance; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; amending s. 947.1405, F.S.; revising conditional release restrictions for certain offenders; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; revising restrictions for certain probationers or community controllees who committed sexual offenses against a minor younger than 16 years of age; amending s. 257.12, F.S.; encouraging all public libraries to adopt an Internet safety education program for children and adults to promote the use of prudent online deportment and broaden awareness of online sexual predators and offenders; providing minimum requirements for the program; requiring libraries to annually report to the Division of Library and Information Services of the Department of State the number of users who complete the program; requiring that the division adopt rules to allocate additional points to grant applicants who are in compliance with such a program; providing an effective date.

On motion by Senator Aronberg, **CS for CS for SB 1430** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Geller

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 54, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

SB 54—A bill to be entitled An act relating to the Orange County School Board; providing for the relief of Daniel Decembre, a minor, by and through his parents and natural guardians, Desnar and Mignone Decembre; providing for an appropriation to compensate Daniel for injuries and damages he sustained as a result of negligence by agents and employees of the school board; providing a limitation on the payment of fees and costs; providing an effective date.

House Amendment 1 (273949)(with title amendment)—Remove lines 52-58 and insert:

Section 2. *Upon court approval of the settlement in this matter, the Orange County School Board is authorized and directed to appropriate from funds of the school board not otherwise encumbered and draw a warrant in the amount of $1.8*

million, payable to the court-appointed guardian of Daniel Decembre, to be placed in the guardianship account of Daniel Decembre. It is the intent of the Legislature that the funds appropriated herein are to be used exclusively for the care and benefit of Daniel Decembre.

And the title is amended as follows:

Remove lines 4-8 and insert: and through his court-appointed guardian; providing for an appropriation to compensate Daniel Decembre for injuries and damages he sustained; providing legislative intent; providing a limitation on the payment of

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

SB 54 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—32

Mr. President	Deutch	Jones
Aronberg	Diaz de la Portilla	Joyner
Atwater	Dockery	Justice
Baker	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Garcia	Margolis
Dawson	Haridopolos	Oelrich
Dean	Hill	Peaden
Posey	Saunders	Villalobos
Rich	Siplin	Wilson
Ring	Storms	

Nays—6

Alexander	Constantine	Webster
Carlton	King	Wise

Vote after roll call:

Yea—Geller

Yea to Nay—Oelrich

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1588, with one amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 1588—A bill to be entitled An act relating to property taxation; amending s. 193.114, F.S.; revising the requirements specifying the information that must be included on the real property assessment roll and on the tangible personal property roll; amending s. 193.1142, F.S.; authorizing the executive director of the Department of Revenue to require that additional data be provided on the assessment rolls; requiring that assessment rolls be submitted in a format specified by the executive director; authorizing a property appraiser to use an alternative format in a case of hardship; specifying additional parcel-level data that may be required; amending s. 193.155, F.S.; revising provisions governing the manner in which homestead property may be assessed at less than just value; requiring that notice of the abandonment of a homestead be in writing and delivered to the property appraiser before or at the time of filing a new application; providing procedures for the transfer of an assessment limitation from a previous homestead to a new homestead; authorizing property appraisers to share confidential tax information; authorizing a taxpayer to file an action in circuit court requiring a property appraiser to provide certain information; authorizing a taxpayer to file a petition with the value adjustment board; providing for a nonrefundable fee; authorizing a taxpayer to file for the transfer of an assessment limitation in a year subsequent to the first year following establishment of the new homestead; prohibiting a refund of taxes for previous years; providing requirements for hearings before the value adjustment board; amending ss. 193.1554 and 195.1555, F.S., relating to nonhomestead residential property and nonresidential real property; requiring that an increase in the value of property be apportioned among parcels under certain conditions; amending s. 193.1556, F.S.; requiring that a property owner notify the property appraiser of any change in ownership or control; amending s. 194.011, F.S.; providing procedures under which a taxpayer may object to an assessment of homestead property at less than just value; requiring that the value adjustment board in the previous county hear the matter if the taxpayer disagrees with the previous assessment; providing for an appeal in the taxpayer's new county under certain circumstances; requiring that the circuit court review decisions of the value adjustment boards under certain circumstances; amending s. 196.031, F.S.; specifying the order in which homestead exemptions are applied; amending s. 196.183, F.S.; clarifying the taxation of freestanding property; clarifying the meaning of the phrase "site where the owner of tangible personal property transacts business"; providing for previously assessed owners to qualify for the exemption without filing a return at the option of the property appraiser; requiring that property appraisers annually notify taxpayers of the duty to file a return if they no longer qualify for the exemption; amending s. 197.3632, F.S.; requiring that the tax collector provide certain additional information to the Department of Revenue concerning non-ad valorem assessments; amending s. 200.065, F.S.; clarifying the calculation of maximum millage beginning in the 2009-2010 fiscal year; amending s. 200.185, F.S.; clarifying the calculation of maximum millage for the 2008-2009 fiscal year; authorizing the Department of Revenue to adopt emergency rules; delaying the date by which applications for an assessment of property under s. 193.155(8), F.S., for 2008 must be submitted; requiring the Department of Revenue to report to the Legislature by a specified date on the effect of recent changes in the law governing tax notices and the assessment

limitations and maximum millage limitations; providing for the Legislature to appropriate moneys to offset the reduction in ad valorem tax revenue experienced by fiscally constrained counties; requiring that counties apply to the Department of Revenue; specifying the documentation that must be provided to the department; providing a formula for calculating the reduction in ad valorem revenue; repealing s. 9, ch. 2007-339, Laws of Florida, relating to the legislative appropriation of funds to offset the reduction in ad valorem tax revenues in fiscally constrained counties; providing for application of the act; providing effective dates.

House Amendment 1 (210103)(with title amendment)—Remove line(s) 929-1005 and insert:

Section 12. Subsections (5) and (8) of section 200.185, Florida Statutes, are amended to read:

200.185 Maximum millage rates for the 2007-2008 and 2008-2009 fiscal years.—

(5) In the 2008-2009 fiscal year, a county, municipal service taxing units of that county, and special districts dependent to that county; a municipality and special districts dependent to that municipality; and an independent special district may levy a maximum millage determined as follows:

(a)*1.* The maximum millage rate that may be levied shall be the rolled-back rate calculated pursuant to s. 200.065 and adjusted for *change* ~~growth~~ in per capita Florida personal income, except that*:*

a. Ad valorem tax revenue levied in the 2007-2008 fiscal year *and used in the calculation of the rolled-back rate* shall be reduced by any tax revenue resulting from a millage rate approved by a super majority vote of the governing board of the taxing authority in excess of the maximum rate that could have been levied by a majority vote as provided in this section.

b. The taxable value within the jurisdiction of each taxing authority used in the calculation of the rolled-back rate shall be increased by an amount equal to the reduction in taxable value occurring as a result of the amendments to the State Constitution contained in SJR 2-D (2007) providing an additional homestead exemption, providing portability of the Save-Our-Homes differential, providing an exemption from ad valorem taxation for tangible personal property, and providing a 10-percent limitation on assessment increases for certain properties.

2. For a county authorized to levy a county public hospital surtax under s. 212.055 *that did so in fiscal year 2007*, the maximum millage rate shall exclude the revenues required to be contributed to the county public general hospital *in the current fiscal year* for the purposes of making the maximum millage rate calculation~~,~~ but shall be added back to the maximum millage rate allowed after the ~~applicable percentage of the~~ rolled-back rate ~~as provided in subparagraphs (2)(a)1. through 5.~~ has been applied*, the total of which shall be considered the maximum millage rate for such a county for purposes of this subsection. The revenue required to be contributed to the county public general hospital for the upcoming fiscal year shall be calculated by multiplying 11.873 percent by the millage rate levied for countywide purposes in fiscal year 2007 and multiplying the result by 95 percent of the preliminary tax roll for the upcoming fiscal year. For a downtown development authority established before the effective date of the 1968 State Constitution which has a millage that must be approved by a municipality, the governing body of that municipality shall be considered the governing body of the downtown development authority for purposes of this subsection.*

(b) A rate *in excess of the maximum millage rate allowed under paragraph (a), but* ~~of~~ not more than 110 percent of the rate in paragraph (a) *determined without taking into account the adjustment in sub-subparagraph (a)1.b.,* may be levied if approved by a two-thirds vote of *the membership of* the governing body *of the county, municipality, or independent district*.

(c) A rate in excess of the millage rate allowed in paragraph (b) may be levied if approved by a unanimous vote of *the membership of* the governing body *of the county, municipality, or independent district* or by a three-fourths vote *of the membership of the governing body* if the governing body has nine or more members*,* or if approved by a referendum of the voters.

(8) The millage rate of a county or municipality, municipal service taxing unit of that county, and any special district dependent to that county or municipality may exceed in any year the maximum millage rate calculated pursuant to this section if the total county ad valorem taxes levied or total municipal ad valorem taxes levied, as defined in s. 200.001, do not exceed the maximum total county ad valorem taxes levied or maximum total municipal ad valorem taxes levied, as defined in s. 200.001, respectively. Voted millage, as defined in s. 200.001, and taxes levied by a municipality or independent special district that has levied ad valorem taxes for less than 5 years are not subject to the limitation on millage rates provided by this section. Total taxes levied may exceed the maximum calculated pursuant to this section as a result of an increase in taxable value above that certified in s. 200.065(1) if such increase is less than the percentage amounts contained in s. 200.065(6) *or if the administrative adjustment cannot be made because the value adjustment board is still in session at the time the tax roll is extended*; *otherwise* ~~however, if such increase in taxable value exceeds the percentage amounts contained in s. 200.065(6)~~, millage rates subject to this section *may* ~~must~~ be reduced so that total taxes levied do not exceed the maximum. Any unit of government operating under a home rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII of the State Constitution of 1885, as preserved by s. 6(e), Art. VIII of the State Constitution of 1968, which is granted the authority in the State Constitution to exercise all the powers conferred now or hereafter by general law upon municipalities and which exercises such powers in the unincorporated area shall be recognized as a municipality under this section.

And the title is amended as follows:

Remove line(s) 61 and insert: s. 200.185, F.S.; revising the calculation of maximum

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

CS for SB 1588 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—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1604, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 1604—A bill to be entitled An act relating to designations of state facilities; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; designating Lt. Colonel Robert T. Heagy, Jr., Memorial Highway in Marion County; designating Cutler Bay Boulevard, Palmetto Bay Boulevard, American Legion Way, Honorable Robert B. Ingram, Ph.D., Boulevard, Father Emilio Vallina Avenue, and Bishop Victor Tyrone Curry Boulevard in Miami-Dade County; designating United States Army Specialist Brandon Tyler Thorsen Memorial Highway in Levy County; designating John E. Andrews Boulevard, George Matthews

Boulevard, Angela Webb Hammonds Boulevard, Willie F. Faust Boulevard, and James H. Argrett, Sr., Avenue in Duval County; designating Veteran's Memorial Parkway in Sarasota County; designating a bridge in the city of Sarasota as Gil Waters Bridge; designating Raquel Regalado Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; designating the Joseph P. Bertrand Building in Fort Myers; authorizing the Department of Management Services to erect suitable markers; designating Reverend Dr. C.P. Preston, Jr. Street in Miami-Dade County; authorizing the Department of Transportation to erect suitable markers; amending s. 589.19, F.S.; designating the state forest in Seminole County as the Charles H. Bronson State Forest; designating Rolando Encinosa Road, Henri Levy Boulevard, Manuel Feijoo Avenue, All-America Parkway, Katherine Fernandez Rundle Avenue, Judy Drucker Boulevard, Will James Johnson Road, Martha Flores Way, and Rabbi Barry Tabachnikoff Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; authorizing certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; designating the Senator Daniel Webster Building in Orange County; directing the Department of Transportation to erect suitable markers; providing an effective date.

House Amendment 1 (422051)(with title amendment)—Remove lines 102-117 and insert:

Section 8. *Monsignor Emilio Vallina Avenue designated; Department of Transportation to erect suitable markers.—*

(1) The portion of West Flagler Street in Miami-Dade County between 13th Avenue and 14th Avenue is designated as "Monsignor Emilio Vallina Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Monsignor Emilio Vallina Avenue as described in subsection (1).

Section 9. *Bishop Victor Tyrone Curry Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) The portion of N.W. 135th Street between 7th Avenue and 27th Avenue in Miami-Dade County is designated as "Bishop Victor Tyrone Curry Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Bishop Victor Tyrone Curry Boulevard as described in subsection (1).

Section 10. *Richard D. Ward Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of S.W. 67th Avenue between S.W. 56th Street and S.W. 64th Street in Miami-Dade County is designated as "Richard D. Ward Way."

(2) The Department of Transportation is directed to erect suitable markers designating Richard D. Ward Way as described in subsection (1).

Section 11. *Mary Ellen Miller Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of Hialeah Drive between Okeechobee Road and Lejeune Road in Miami-Dade County is designated as "Mary Ellen Miller Way."

(2) The Department of Transportation is directed to erect suitable markers designating Mary Ellen Miller Way as described in subsection (1).

Section 12. *Jacobo Cababie Avenue designated; Department of Transportation to erect suitable markers.—*

(1) That portion of West Country Club Drive between N.E. 199th Street and N.E. 192nd Street in Miami-Dade County is designated as "Jacobo Cababie Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Jacobo Cababie Avenue as described in subsection (1).

Section 13. *Rosendo Rosell Road designated; Department of Transportation to erect suitable markers.—*

(1) That portion of State Road 934/71st Street between Bay Drive and State Road A1A/Collins Avenue in the City of Miami Beach in Miami-Dade County is designated as "Rosendo Rosell Road."

(2) The Department of Transportation is directed to erect suitable markers designating Rosendo Rosell Road as described in subsection (1).

Section 14. *Avenue of the Americas designated; Department of Transportation to erect suitable markers.—*

(1) That portion of S.E. 2nd Avenue from the Miami River south to S.E. 2nd Street in Miami-Dade County is designated as "Avenue of the Americas."

(2) The Department of Transportation is directed to erect suitable markers designating Avenue of the Americas as described in subsection (1).

Section 15. *MSgt. Benjamin Strickland Highway designated; Department of Transportation to erect suitable markers.—*

(1) That portion of State Road 836 between 97th Avenue and 137th Avenue in Miami-Dade County is designated as "MSgt. Benjamin Strickland Highway."

(2) The Department of Transportation is directed to erect suitable markers designating MSgt. Benjamin Strickland Highway as described in subsection (1).

Section 16. *Rafael Diaz-Balart Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of LeJune Road between East 65th Street and Okeechobee Road in the City of Hialeah in Miami-Dade County is designated as "Rafael Diaz-Balart Way."

(2) The Department of Transportation is directed to erect suitable markers designating Rafael Diaz-Balart Way as described in subsection (1).

Section 17. *Jose A. Marques Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) That portion of 8th Street between S.W. 107th Avenue and S.W. 117th Avenue in Miami-Dade County is designated as " Jose A. Marques Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Jose A. Marques Boulevard as described in subsection (1).

Section 18. *Willy Chirino Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) That portion of W. Okeechobee Road between W. 4th Avenue and Palm Avenue in Miami-Dade County is designated as "Willy Chirino Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Willy Chirino Boulevard as described in subsection (1).

Section 19. *Constable Arthur Fleece Crenshaw Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) That portion of U.S. Highway 98 between U.S. Highway 301 and the Pasco-Hernando County line in Pasco County is designated as "Constable Arthur Fleece Crenshaw Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Constable Arthur Fleece Crenshaw Memorial Highway as described in subsection (1).

Section 20. *Agent John Van Waters Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) That portion of U.S. Highway 98 between U.S. Highway 301 and the Pasco-Polk County line in Pasco County is designated as "Agent John Van Waters Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Agent John Van Waters Memorial Highway as described in subsection (1).

Section 21. *Roy Willis Street designated; Department of Transportation to erect suitable markers.—*

(1) That portion of Beaver Street between Myrtle Avenue and Tyler Street in Duval County is designated as "Roy Willis Street."

(2) The Department of Transportation is directed to erect suitable markers designating Roy Willis Street as described in subsection (1).

And the title is amended as follows:

Remove lines 8-10 and insert: Honorable Robert B. Ingram, Ph.D., Boulevard, Monsignor Emilio Vallina Avenue, Bishop Victor Tyrone Curry Boulevard, Richard D. Ward Way, Mary Ellen Miller Way, Jacobo Cababie Avenue, Rosendo Rosell Road, Avenue of the Americas, MSgt. Benjamin Strickland Highway, Rafael Diaz-Balart Way, Jose A. Marques Boulevard, and Willy Chirino Boulevard in Miami-Dade County; designating Roy Willis Street in Duval County; designating Agent John Van Waters Memorial Highway and Constable Arthur Fleece Crenshaw Memorial Highway in Pasco County; designating United States

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

CS for SB 1604 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	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Bullard, Crist

SPECIAL GUEST

The President introduced Attorney General Bill McCollum who was present in the chamber.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 1712, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 402.316, F.S.; authorizing the Department of Children and Family Services to adopt minimum standards for screening child care personnel and for notification of termination of such personnel; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional or administrative personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional or administrative personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S.; conforming cross-references; amending s. 1006.061, F.S.; requiring the school board, charter school, private school participating in a state school choice scholarship program, and private provider participating in the Voluntary Prekindergarten Education Program to post its policies relating to misconduct by personnel; requiring the head of such entities to act as a liaison in suspected cases of child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S.; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional or administrative candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional and administrative personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional and administrative personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to ethical standards; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; requiring employers of certified personnel to file complaints in writing to the Department of Education;

amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

Substitute House Amendment 1 (562471)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Ethics in Education Act."*

Section 2. Paragraphs (c) and (d) of subsection (5) of section 24.121, Florida Statutes, are amended to read:

24.121 Allocation of revenues and expenditure of funds for public education.—

(5)

(c) A portion of such net revenues, as determined annually by the Legislature, shall be distributed to each school district and shall be made available to each public school in the district for enhancing school performance through development and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. A portion of these moneys, as determined annually in the General Appropriations Act, must be allocated to each school in an equal amount for each student enrolled. These moneys may be expended only on programs or projects selected by the school advisory council or by a parent advisory committee created pursuant to this paragraph. If a school does not have a school advisory council, the district advisory council must appoint a parent advisory committee composed of parents of students enrolled in that school, which ~~committee~~ is representative of the ethnic, racial, and economic community served by the school, to advise the school's principal on the programs or projects to be funded. Neither school district staff nor principals may override the recommendations of the school advisory council or the parent advisory committee. These moneys may not be used for capital improvements *or*~~, nor may they be used~~ for any project or program that has a duration of more than 1 year; however, a school advisory council or parent advisory committee may independently determine that a program or project formerly funded under this paragraph should receive funds in a subsequent year.

(d) No funds shall be released for any purpose from the Educational Enhancement Trust Fund to any school district in which one or more schools do not have an approved school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ or do not comply with school advisory council membership composition requirements pursuant to s. 1001.452(1). The Commissioner of Education shall withhold disbursements from the trust fund to any school district that fails to adopt the performance-based salary schedule required by s. 1012.22(1).

Section 3. Paragraph (e) of subsection (2) of section 112.3173, Florida Statutes, is amended to read:

112.3173 Felonies involving breach of public trust and other specified offenses by public officers and employees; forfeiture of retirement benefits.—

(2) DEFINITIONS.—As used in this section, unless the context otherwise requires, the term:

(e) "Specified offense" means:

1. The committing, aiding, or abetting of an embezzlement of public funds;

2. The committing, aiding, or abetting of any theft by a public officer or employee from his or her employer;

3. Bribery in connection with the employment of a public officer or employee;

4. Any felony specified in chapter 838, except ss. 838.15 and 838.16;

5. The committing of an impeachable offense; ~~or~~

6. The committing of any felony by a public officer or employee who, willfully and with intent to defraud the public or the public agency for which the public officer or employee acts or in which he or she is employed of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position*; or*~~.~~

7. The committing on or after October 1, 2008, of any felony defined in s. 800.04 against a victim younger than 16 years of age, or any felony defined in chapter 794 against a victim younger than 18 years of age, by a public officer or employee through the use or attempted use of power, rights, privileges, duties, or position of his or her public office or employment position.

Section 4. Paragraph (i) of subsection (5) of section 121.091, Florida Statutes, is redesignated as paragraph (j), present paragraph (j) is redesignated as paragraph (k) and amended, and a new paragraph (i) is added to that subsection, 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.

(5) TERMINATION BENEFITS.—A member whose employment is terminated prior to retirement retains membership rights to previously earned member-noncontributory service credit, and to member-contributory service credit, if the member leaves the member contributions on deposit in his or her retirement account. If a terminated member receives a refund of member contributions, such member may reinstate membership rights to the previously earned service credit represented by the refund by completing 1 year of creditable service and repaying the refunded member contributions, plus interest.

(i) The division may not pay benefits to any member convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 against a victim younger than 16 years of age, or defined in chapter 794 against a victim younger than 18 years of age, through the use or attempted use of power, rights, privileges, duties, or position of the member's public office or employment position. However, the division shall return the member's accumulated contributions, if any, that the member accumulated as of the date of conviction.

(k)~~(j)~~ Benefits shall not be paid by the division pending final resolution of such charges against a member or beneficiary if the resolution of such charges could require the forfeiture of benefits as provided in paragraph (f), paragraph (g), paragraph (h), ~~or~~ paragraph (i) *, or paragraph (j)*.

Section 5. Section 794.09, Florida Statutes, is created to read:

794.09 Forfeiture of retirement benefits.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, under this chapter are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 18 years of age when the offense occurs.

Section 6. Section 800.05, Florida Statutes, is created to:

800.05 Forfeiture of retirement benefits for a felony defined in s. 800.04.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 16 years of age when the offense occurs.

Section 7. Subsection (4) of section 1001.10, Florida Statutes, is renumbered as subsection (6) and new subsections (4) and (5) are added to that section to read:

1001.10 Commissioner of Education; general powers and duties.—

(4) The Department of Education shall provide technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 with access to electronic verification of information from the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary Actions Against Educators; and

(b) The Department of Education's Teacher Certification Database.

This subsection does not require the department to provide these staff with unlimited access to the databases. However, the department shall provide the staff with access to the data necessary for performing employment history checks of the instructional personnel and school administrators included in the databases.

Section 8. Subsection (4) of section 1001.32, Florida Statutes, is amended to read:

1001.32 Management, control, operation, administration, and supervision.—The district school system must be managed, controlled, operated, administered, and supervised as follows:

(4) SCHOOL PRINCIPAL OR HEAD OF SCHOOL.—Responsibility for the administration of any school or schools at a given school center, for the supervision of instruction therein, and for providing leadership in the development or revision and implementation of a school improvement plan required *by s. 1001.42(18)* ~~pursuant to s. 1001.42(16)~~ shall be delegated to the school principal or head of the school or schools in accordance with rules established by the district school board.

Section 9. Subsections (6) through (23) of section 1001.42, Florida Statutes, are renumbered as subsections (8) through (25), respectively, and new subsections (6) and (7) are added to that section to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS.—Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A district school board, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315. An elected or appointed school board official forfeits his or her salary for 1 year if:

(a) The school board official knowingly signs and transmits to any state official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student and the school board official knows the report to be false or incorrect; or

(b) The school board official knowingly fails to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel and school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student.

Section 10. Paragraphs (a) and (c) of subsection (1) and subsection (2) of section 1001.452, Florida Statutes, are amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of *ss. 1001.42(18)* ~~the provisions of ss. 1001.42(16)~~ and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures *to be used* ~~for use~~ by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory council which *includes* ~~shall include~~ at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" *includes* ~~shall include~~ classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

(c) For those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, district school boards may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district, pursuant to *s. 1001.42(18)(a)* ~~s. 1001.42(16)(a)~~.

(2) DUTIES.—Each advisory council shall perform ~~such~~ functions ~~as are~~ prescribed by regulations of the district school board; however, no advisory council shall have any of the powers and duties now reserved by law to the district school board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan as required by s. 1008.385(1). A portion of funds provided in the annual General Appropriations Act for use by school advisory councils must be used for implementing the school improvement plan.

Section 11. Subsection (12) of section 1001.51, Florida Statutes, is amended to read:

1001.51 Duties and responsibilities of district school superintendent.—The district school superintendent shall exercise all powers and perform all duties listed below and elsewhere in the law, provided that, in so doing, he or she shall advise and counsel with the district school board. The district school superintendent shall perform all tasks necessary to make sound recommendations, nominations, proposals, and reports required by law to be acted upon by the district school board. All such recommendations, nominations, proposals, and reports by the district school superintendent shall be either recorded in the minutes or shall be made in writing, noted in the minutes, and filed in the public records of the district school board. It shall be presumed that, in the absence of the record required in this section, the recommendations, nominations, and proposals required of the district school superintendent were not contrary to the action taken by the district school board in such matters.

(12) RECORDS AND REPORTS.—Recommend such records as should be kept in addition to those prescribed by rules of the State Board of Education; prepare forms for keeping such records as are approved by the district school board; ensure that such records are properly kept; and make all reports that are needed or required, as follows:

(a) Forms, blanks, and reports.—Require that all employees accurately keep all records and promptly make in proper form all reports required by the education code or by rules of the State Board of Education; recommend the keeping of such additional records and the making of such additional reports as may be deemed necessary to provide data essential for the operation of the school system; and prepare such forms and blanks as may be required and ensure that these records and reports are properly prepared.

(b) Reports to the department.—Prepare, for the approval of the district school board, all reports ~~that may be~~ required by law or rules of the State Board of Education to be made to the department and transmit promptly all such reports, when approved, to the department, as required by law. If any ~~such~~ reports are not transmitted at the time and in the manner prescribed by law or by State Board of Education rules, the salary of the district school superintendent must be withheld until the report has been properly submitted. Unless otherwise provided by rules of the State Board of Education, the annual report on attendance and personnel is due on or before July 1, and the annual school budget and the report on finance are due on the date prescribed by the commissioner.

Any district school superintendent who knowingly signs and transmits to any state official a ~~false or incorrect~~ report *that the superintendent knows to be false or incorrect; who knowingly fails to investigate any allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, which affects the health, safety, or welfare of a student; or who knowingly fails to report the alleged misconduct to the department as required in s. 1012.796, forfeits* ~~shall forfeit~~ his or her ~~right to any~~ salary for ~~the period of~~ 1 year *following the* ~~from that~~ date *of such act or failure to act*.

Section 12. Subsection (2) of section 1001.54, Florida Statutes, is amended to read:

1001.54 Duties of school principals.—

(2) Each school principal shall provide instructional leadership in the development, revision, and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 13. Paragraph (b) of subsection (11) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(11) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(2), the following exceptions shall be permitted for lab schools:

(b) With the exception of *s. 1001.42(18)* ~~s. 1001.42(16)~~, s. 1001.42 shall be held in abeyance. Reference to district school boards in *s. 1001.42(18)* ~~s. 1001.42(16)~~ shall mean the president of the university or the president's designee.

Section 14. Paragraph (g) of subsection (12) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(g)*1.* A charter school shall employ or contract with employees who have undergone background screening as provided in s. 1012.32. Members of the governing board of the charter school shall also undergo background screening in a manner similar to that provided in s. 1012.32.

2. A charter school shall disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.

3. The governing board of a charter school shall adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A charter school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

4. Before employing instructional personnel or school administrators in any position that requires direct contact with students, a charter school shall conduct employment history checks of each of the personnel's or administrators' previous employer, screen the instructional personnel or school administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the charter school must document efforts to contact the employer.

5. The sponsor of a charter school that knowingly fails to comply with this paragraph shall terminate the charter under subsection (8).

Section 15. Paragraph (g) is added to subsection (7) of section 1002.36, Florida Statutes, to read:

1002.36 Florida School for the Deaf and the Blind.—

(7) PERSONNEL SCREENING.—

(g) For purposes of protecting the health, safety, or welfare of students, the Florida School for the Deaf and the Blind is considered a school district and must, except as otherwise provided in this section, comply with ss. 1001.03, 1001.42, 1001.51, 1006.061, 1012.27, 1012.315, 1012.32, 1012.33, 1012.56, 1012.795, and 1012.796.

Section 16. Subsections (4), (5), and (6) of section 1002.421, Florida Statutes, are renumbered as subsections (5), (6), and (7), respectively, and a new subsection (4) is added to that section to read:

1002.421 Accountability of private schools participating in state school choice scholarship programs.—

(4) A private school that accepts scholarship students under s. 220.187 or s. 1002.39 must:

(a) Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.

(b) Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(c) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer.

The department shall suspend the payment of funds under ss. 220.187 and 1002.39 to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.

Section 17. Subsection (2) of section 1003.413, Florida Statutes, is amended to read:

1003.413 Florida Secondary School Redesign Act.—

(2) The following guiding principles for secondary school redesign shall be used in the annual preparation of each secondary school's improvement plan required by *s. 1001.42(18)* ~~s. 1001.42(16)~~:

(a) Struggling students, especially those in failing schools, need the highest quality teachers and dramatically different, innovative approaches to teaching and learning.

(b) Every teacher must contribute to every student's reading improvement.

(c) Quality professional development provides teachers and principals with the tools they need to better serve students.

(d) Small learning communities allow teachers to personalize instruction to better address student learning styles, strengths, and weaknesses.

(e) Intensive intervention in reading and mathematics must occur early and through innovative delivery systems.

(f) Parents need access to tools they can use to monitor their child's progress in school, communicate with teachers, and act early on behalf of their child.

(g) Applied and integrated courses help students see the relationships between subjects and relevance to their futures.

(h) School is more relevant when students choose courses based on their goals, interests, and talents.

(i) Master schedules should not determine instruction and must be designed based on student needs, not adult or institutional needs.

(j) Academic and career planning engages students in developing a personally meaningful course of study so they can achieve goals they have set for themselves.

Section 18. Paragraph (b) of subsection (2) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(2)

(b) Each school that establishes a dropout prevention and academic intervention program at that school site shall reflect that program in the school improvement plan as required under *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 19. Subsections (1) and (3) of section 1004.92, Florida Statutes, are amended to read:

1004.92 Purpose and responsibilities for career education.—

(1) The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency. The purpose of this section is to identify issues related to career education for which school boards and community college boards of trustees are accountable. It is the intent of the Legislature that the standards articulated in subsection (2) be considered in the development of accountability standards for public schools pursuant to ss. 1000.03, *1001.42(18)* ~~1001.42(16)~~, and 1008.345 and for community colleges pursuant to s. 1008.45.

(3) Each career center operated by a district school board shall establish a center advisory council pursuant to s. 1001.452. The center advisory council shall assist in the preparation and evaluation of center improvement plans required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ and may provide assistance, upon the request of the center director, in the preparation of the center's annual budget and plan as required by s. 1008.385(1).

Section 20. Section 1006.061, Florida Statutes, is amended to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each district school board*, charter school, and private school that accepts scholarship students under s. 220.187 or s. 1002.39* shall:

(1) Post in a prominent place in each school a notice that, pursuant to chapter 39, all employees and agents of the district school board*, charter school, or private school* have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect; have immunity from liability if they report such cases in good faith; and have a duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect. The notice shall also include the statewide toll-free telephone number of the central abuse hotline.

(2) Post in a prominent place at each school site and on each school's Internet website, if available, the policies and procedures for reporting alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student; the contact person to whom the report is made; and the penalties imposed on instructional personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional personnel or school administrators.

(3)~~(2)~~ Require the *principal of the charter school or private school, or the* district school superintendent, or the superintendent's designee, at the request of the Department of Children and Family Services, to act as a liaison to the Department of Children and Family Services and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Family Services from discharging its duty and responsibility under the law to investigate

and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

The Department of Education shall develop, and publish on the department's Internet website, sample notices suitable for posting in accordance with subsections (1) and (2).

Section 21. Subsection (4) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—It is the intent of the Legislature that all public schools be held accountable for students performing at acceptable levels. A system of school improvement and accountability that assesses student performance by school, identifies schools in which students are not making adequate progress toward state standards, institutes appropriate measures for enforcing improvement, and provides rewards and sanctions based on performance shall be the responsibility of the State Board of Education.

(4) The State Board of Education may require the Department of Education or Chief Financial Officer to withhold any transfer of state funds to the school district if, within the timeframe specified in state board action, the school district has failed to comply with the action ordered to improve the district's low-performing schools. Withholding the transfer of funds shall occur only after all other recommended actions for school improvement have failed to improve performance. The State Board of Education may impose the same penalty on any district school board that fails to develop and implement a plan for assistance and intervention for low-performing schools as specified in *s. 1001.42(18)(c)* ~~s. 1001.42(16)(c)~~.

Section 22. Paragraph (c) of subsection (6) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(6)

(c) Pursuant to s. 24.121(5)(d), the department shall not release funds from the Educational Enhancement Trust Fund to any district in which a school, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, does not have an approved school improvement plan, pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~, after 1 full school year of planning and development, or does not comply with school advisory council membership composition requirements pursuant to s. 1001.452. The department shall send a technical assistance team to each school without an approved plan to develop such school improvement plan or to each school without appropriate school advisory council membership composition to develop a strategy for corrective action. The department shall release the funds upon approval of the plan or upon establishment of a plan of corrective action. Notice shall be given to the public of the department's intervention and shall identify each school without a plan or without appropriate school advisory council membership composition.

Section 23. Subsection (5) of section 1010.215, Florida Statutes, is amended to read:

1010.215 Educational funding accountability.—

(5) The annual school public accountability report required by ss. *1001.42(18)* ~~1001.42(16)~~ and 1008.345 must include a school financial report. The purpose of the school financial report is to better inform parents and the public concerning how funds were spent to operate the school during the prior fiscal year. Each school's financial report must follow a uniform, districtwide format that is easy to read and understand.

(a) Total revenue must be reported at the school, district, and state levels. The revenue sources that must be addressed are state and local funds, other than lottery funds; lottery funds; federal funds; and private donations.

(b) Expenditures must be reported as the total expenditures per unweighted full-time equivalent student at the school level and the average expenditures per full-time equivalent student at the district and state levels in each of the following categories and subcategories:

1. Teachers, excluding substitute teachers, and education paraprofessionals who provide direct classroom instruction to students enrolled in programs classified by s. 1011.62 as:

a. Basic programs;

b. Students-at-risk programs;

c. Special programs for exceptional students;

d. Career education programs; and

e. Adult programs.

2. Substitute teachers.

3. Other instructional personnel, including school-based instructional specialists and their assistants.

4. Contracted instructional services, including training for instructional staff and other contracted instructional services.

5. School administration, including school-based administrative personnel and school-based education support personnel.

6. The following materials, supplies, and operating capital outlay:

a. Textbooks;

b. Computer hardware and software;

c. Other instructional materials;

d. Other materials and supplies; and

e. Library media materials.

7. Food services.

8. Other support services.

9. Operation and maintenance of the school plant.

(c) The school financial report must also identify the types of district-level expenditures that support the school's operations. The total amount of these district-level expenditures must be reported and expressed as total expenditures per full-time equivalent student.

Section 24. Paragraph (b) of subsection (6) of section 1011.18, Florida Statutes, is amended to read:

1011.18 School depositories; payments into and withdrawals from depositories.—

(6) EXEMPTION FOR SELF-INSURANCE PROGRAMS AND THIRD-PARTY ADMINISTERED EMPLOYEES' FRINGE BENEFIT PROGRAMS.—

(b) The district school board may contract with an insurance company or professional administrator who holds a valid certificate of authority issued by the Office of Insurance Regulation of the Financial Services Commission to provide any ~~or all~~ services that a third-party administrator is authorized by law to perform. Pursuant to such contract, the district school board may advance or remit money to the administrator to be deposited in a designated special checking account for paying claims against the district school board under its self-insurance programs, and remitting premiums to the providers of insured benefits on behalf of the district school board and the participants in such programs, and otherwise fulfilling the obligations imposed upon the administrator by law and the contractual agreements between the district school board and the administrator. The special checking account shall be maintained in a designated district school depository. The district school board may replenish such account as often as necessary upon the presentation by the service organization of documentation for claims or premiums due paid equal to the amount of the requested reimbursement. Such replenishment shall be made by a warrant signed by the chair of the district school board and countersigned by the district school superintendent. Such replenishment may be made by electronic, telephonic, or other medium, and each transfer shall be confirmed in writing and signed by the district school superintendent or his or her

designee. The provisions of strict accountability of all funds and an annual audit by an independent certified public accountant as provided in *s. 1001.42(12)(k)* ~~s. 1001.42(10)(k) shall~~ apply to this subsection.

Section 25. Subsection (6) of section 1012.27, Florida Statutes, is renumbered as subsection (7), and a new subsection (6) is added to that section to read:

1012.27 Public school personnel; powers and duties of district school superintendent.—The district school superintendent is responsible for directing the work of the personnel, subject to the requirements of this chapter, and in addition the district school superintendent shall perform the following:

(6) EMPLOYMENT HISTORY CHECKS.—Before employing instructional personnel and school administrators, as defined in s. 1012.01, in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the district school superintendent shall document efforts to contact the employer.

Section 26. Section 1012.315, Florida Statutes, is created to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 220.187 or s. 1002.39, if the person, instructional personnel, or school administrator has been convicted of:

(1) Any felony offense prohibited under any of the following statutes:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

(h) Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.

(i) Section 787.01, relating to kidnapping.

(j) Section 787.02, relating to false imprisonment.

(k) Section 787.025, relating to luring or enticing a child.

(l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.

(o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.

(p) Section 794.011, relating to sexual battery.

(q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

(r) Section 794.05, relating to unlawful sexual activity with certain minors.

(s) Section 794.08, relating to female genital mutilation.

(t) Chapter 796, relating to prostitution.

(u) Chapter 800, relating to lewdness and indecent exposure.

(v) Section 806.01, relating to arson.

(w) Section 810.14, relating to voyeurism.

(x) Section 810.145, relating to video voyeurism.

(y) Section 812.014(6), relating to coordinating the commission of theft in excess of $3,000.

(z) Section 812.0145, relating to theft from persons 65 years of age or older.

(aa) Section 812.019, relating to dealing in stolen property.

(bb) Section 812.13, relating to robbery.

(cc) Section 812.131, relating to robbery by sudden snatching.

(dd) Section 812.133, relating to carjacking.

(ee) Section 812.135, relating to home-invasion robbery.

(ff) Section 817.563, relating to fraudulent sale of controlled substances.

(gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.

(ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

(jj) Section 826.04, relating to incest.

(kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(mm) Section 827.071, relating to sexual performance by a child.

(nn) Section 843.01, relating to resisting arrest with violence.

(oo) Chapter 847, relating to obscenity.

(pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.

(qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.

(rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.

(tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.

(2) Any misdemeanor offense prohibited under any of the following statutes:

(a) Section 784.03, relating to battery, if the victim of the offense was a minor.

(b) Section 787.025, relating to luring or enticing a child.

(3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).

(4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(a)1.d.

Section 27. Subsections (1) and (2) and paragraph (c) of subsection (3) of section 1012.32, Florida Statutes, are amended to read:

1012.32 Qualifications of personnel.—

(1) To be eligible for appointment in any position in any district school system, a person *must* ~~shall~~ be of good moral character; *must* ~~shall~~ have attained the age of 18 years, if he or she is to be employed in an instructional capacity; *must not be ineligible for such employment under s. 1012.315;* and *must* ~~shall~~, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to s. 1012.55 or under the emergency provisions of s. 1012.24. Previous residence in this state shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

(2)(a) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in any district school system or university lab school *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable.

(b) Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(g), *must* ~~shall~~, upon employment, engagement of services, or appointment, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district in which the charter school is located a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(c) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in an alternative school that operates under contract with a district school system *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district to which the alternative school is under contract a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(d) Student teachers, persons participating in a field experience pursuant to s. 1004.04(6) or s. 1004.85, and persons participating in a short-term experience as a teacher assistant pursuant to s. 1004.04(10) in any district school system, lab school, or charter school *must* ~~shall~~, upon engagement to provide services, undergo background screening as required under s. 1012.56.

Fingerprints shall be submitted to the Department of Law Enforcement for *statewide criminal and juvenile records checks* ~~state processing~~ and to the Federal Bureau of Investigation for federal *criminal records checks* ~~processing~~ . *A person* ~~Persons~~ subject to this subsection *who is* found *ineligible for employment under s. 1012.315, or otherwise found* through *background screening* ~~fingerprint processing~~ to have been convicted of *any* ~~a~~ crime involving moral turpitude *as defined by rule of the State Board of Education,* shall not be employed, engaged to provide services, or serve in any position *that requires* ~~requiring~~ direct contact with students. Probationary persons subject to this subsection terminated because of their criminal record have the right to appeal such decisions. The cost of the background screening may be borne by the district school board, the charter school, the employee, the contractor, or a person subject to this subsection.

(3)

(c) Personnel whose fingerprints are not retained by the Department of Law Enforcement under paragraphs (a) and (b) *must* ~~are required to~~ be refingerprinted and *rescreened in accordance with subsection (2)* ~~must meet level 2 screening requirements as described in this section~~ upon reemployment or reengagement to provide services in order to comply with the requirements of this subsection.

Section 28. Paragraph (a) of subsection (1), paragraph (c) of subsection (4), and paragraph (b) of subsection (6) of section 1012.33, Florida Statutes, are amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(1)(a) Each person employed as a member of the instructional staff in any district school system shall be properly certified pursuant to s. 1012.56 or s. 1012.57 or employed pursuant to s. 1012.39 and shall be entitled to and shall receive a written contract as specified in this section. All such contracts, except continuing contracts as specified in subsection (4), shall contain provisions for dismissal during the term of the contract only for just cause. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: *immorality,* misconduct in office, incompetency, gross insubordination, willful neglect of duty, *or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~or conviction of a~~ crime involving moral turpitude.

(4)

(c) Any member of the district administrative or supervisory staff and any member of the instructional staff, including any school principal, who is under continuing contract may be suspended or dismissed at any time during the school year; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~conviction of a~~ crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend such person without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~ employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by the employee pursuant to s. 120.68, provided *the* ~~such~~ appeal is filed within 30 days after the decision of the district school board.

(6)

(b) Any member of the district administrative or supervisory staff, including any principal but excluding an employee specified in subsection (4), may be suspended or dismissed at any time during the term of the contract; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty, regardless of adjudication of guilt,* ~~conviction of~~ any crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend the employee without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~

employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by him or her pursuant to s. 120.68, provided such appeal is filed within 30 days after the decision of the district school board.

Section 29. Subsection (4) of section 1012.34, Florida Statutes, is amended to read:

1012.34 Assessment procedures and criteria.—

(4) The district school superintendent shall notify the department of any instructional personnel who receive two consecutive unsatisfactory evaluations and who have been given written notice by the district that their employment is being terminated or is not being renewed or that the district school board intends to terminate, or not renew, their employment. The department shall conduct an investigation to determine whether action shall be taken against the certificateholder pursuant to *s. 1012.795(1)(c)* ~~s. 1012.795(1)(b)~~.

Section 30. Subsections (9) and (14) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(9) BACKGROUND SCREENING REQUIRED, INITIALLY AND PERIODICALLY.—

(a) Each person who seeks certification under this chapter must *be fingerprinted and screened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32 *and must not be ineligible for such certification under s. 1012.315. A person who has been screened in accordance with s. 1012.32* ~~unless a level 2 screening has been conducted~~ by a district school board or the Department of Education within 12 months before the date the person initially obtains certification under this chapter, the results of which are submitted to the district school board or to the Department of Education*, is not required to repeat the screening under this paragraph*.

(b) A person may not receive a certificate under this chapter until the *person's* ~~level 2~~ screening *under s. 1012.32 is* ~~has been~~ completed and the results have been submitted to the Department of Education or to the district school superintendent of the school district that employs the person. Every 5 years after obtaining initial certification, each person who is required to be certified under this chapter must *be rescreened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32, at which time the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *federal criminal records checks* ~~the level 2 screening~~. If, for any reason after obtaining initial certification, the fingerprints of a person who is required to be certified under this chapter are not retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b), the person must file a complete set of fingerprints with the district school superintendent of the employing school district. Upon submission of fingerprints for this purpose, the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *federal criminal records checks* ~~the level 2 screening~~, and the fingerprints shall be retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b). The cost of the state and federal criminal history *checks* ~~check~~ required by *paragraph (a) and this paragraph* ~~level 2 screening~~ may be borne by the district school board or the employee. Under penalty of perjury, each person who is certified under this chapter must agree to inform his or her employer within 48 hours if convicted of any disqualifying offense while he or she is employed in a position for which such certification is required.

(c) If it is found under s. 1012.796 that a person who is employed in a position requiring certification under this chapter *has* ~~does~~ not *been screened in accordance with s. 1012.32, or is ineligible for such certification under s. 1012.315* ~~meet the level 2 screening requirements~~, the person's certification shall be immediately revoked or suspended and he or she shall be immediately suspended from the position requiring certification.

(14) PERSONNEL RECORDS.—The Department of Education shall maintain *an electronic database that includes, but need not be limited to,* ~~a complete statement of~~ the academic preparation, professional training, and teaching experience of each person to whom a certificate is issued. The applicant or the district school superintendent shall furnish the information using a format ~~or forms~~ provided by the department.

Section 31. Subsection (1) and paragraph (a) of subsection (8) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(1) The Education Practices Commission consists of *25* ~~17~~ members, including *8* ~~7~~ teachers*;*~~,~~ 5 administrators, *at least one of whom shall represent a private school; 7* ~~and 5~~ lay citizens*, 5* ~~(~~of whom *shall be parents of public school students and who are unrelated to public school employees and* 2 *of whom* shall be former district school board members*;*~~),~~ *and 5 sworn law enforcement officials,* appointed by the State Board of Education from nominations by the Commissioner of Education and subject to Senate confirmation. Prior to making nominations, the commissioner shall consult with ~~the~~ teaching *associations, parent organizations, law enforcement agencies,* and other involved associations in the state. In making nominations, the commissioner shall attempt to achieve equal geographical representation, as closely as possible.

(a) A teacher member, in order to be qualified for appointment:

1. Must be certified to teach in the state.

2. Must be a resident of the state.

3. Must have practiced the profession in this state for at least 5 years immediately preceding the appointment.

(b) A school administrator member, in order to be qualified for appointment:

1. Must have an endorsement on the educator certificate in the area of school administration or supervision.

2. Must be a resident of the state.

3. Must have practiced the profession as an administrator for at least 5 years immediately preceding the appointment.

(c) The lay members must be residents of the state.

(d) The law enforcement official members must have served in the profession for at least 5 years immediately preceding appointment and have background expertise in child safety.

(8)(a) The commission shall, from time to time, designate members of the commission to serve on panels for the purpose of reviewing and issuing final orders upon cases presented to the commission. A case concerning a complaint against a teacher shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be teachers. A case concerning a complaint against an administrator shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be administrators.

Section 32. Subsection (1) of section 1012.795, Florida Statutes, is amended to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for a period of time not to exceed 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for a period of time not to exceed 10 years, with reinstatement subject to the provisions of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with

students; may suspend the educator certificate, upon order of the court, of any person found to have a delinquent child support obligation; or may impose any other penalty provided by law, *if* ~~provided it can be shown that~~ the person:

(a) Obtained or attempted to obtain an educator certificate by fraudulent means.

(b) Knowingly failed to report actual or suspected child abuse as required in s. 1006.061 or report alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student as required in s. 1012.796.

(c)~~(b)~~ Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school.

(d)~~(c)~~ Has been guilty of gross immorality or an act involving moral turpitude *as defined by rule of the State Board of Education*.

(e)~~(d)~~ Has had an educator certificate sanctioned by revocation, suspension, or surrender in another state.

(f)~~(e)~~ Has been convicted *or found guilty* of*, or entered a plea of guilty to, regardless of adjudication of guilt,* a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

(g)~~(f)~~ Upon investigation, has been found guilty of personal conduct which seriously reduces that person's effectiveness as an employee of the district school board.

(h)~~(g)~~ Has breached a contract, as provided in s. 1012.33(2).

(i)~~(h)~~ Has been the subject of a court order directing the Education Practices Commission to suspend the certificate as a result of a delinquent child support obligation.

(j)~~(i)~~ Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

(k)~~(j)~~ Has otherwise violated the provisions of law, the penalty for which is the revocation of the educator certificate.

(l)~~(k)~~ Has violated any order of the Education Practices Commission.

(m)~~(l)~~ Has been the subject of a court order or plea agreement in any jurisdiction which requires the certificateholder to surrender or otherwise relinquish his or her educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. A person may not surrender or otherwise relinquish his or her certificate prior to a finding of probable cause by the commissioner as provided in s. 1012.796.

(n) Has been disqualified from educator certification under s. 1012.315.

Section 33. Subsections (1), (3), and (5) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)(a) The Department of Education shall cause to be investigated expeditiously any complaint filed before it or otherwise called to its attention which, if legally sufficient, contains grounds for the revocation or suspension of a certificate or any other appropriate penalty as set forth in subsection (7). The complaint is legally sufficient if it contains the ultimate facts which show a violation has occurred as provided in s. 1012.795 *and defined by rule of the State Board of Education*. The department *shall* ~~may~~ investigate or continue to investigate and take appropriate action on a complaint even though the original complainant withdraws the complaint or otherwise indicates a desire not to cause it to be investigated or prosecuted to completion. The department may investigate or continue to investigate and take action on a complaint filed against a person whose educator certificate has expired if the act or acts *that* ~~which~~ are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(b) The department shall immediately investigate any legally sufficient complaint that involves misconduct by any certificated personnel which affects the health, safety, or welfare of a student, giving the complaint priority over other pending complaints. The department must investigate or continue to investigate and take action on such a complaint filed against a person whose educator certificate has expired if the act or acts that are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(c)~~(b)~~ When an investigation is undertaken, the department shall notify the certificateholder or applicant for certification and the district school superintendent or the university laboratory school, charter school, or private school in which the certificateholder or applicant for certification is employed or was employed at the time the alleged offense occurred. In addition, the department shall inform the certificateholder or applicant for certification of the substance of any complaint which has been filed against that certificateholder or applicant, unless the department determines that such notification would be detrimental to the investigation, in which case the department may withhold notification.

(d)~~(c)~~ Each school district shall file in writing with the department all legally sufficient complaints within 30 days after the date on which subject matter of the complaint comes to the attention of the school district. *A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education.* The school district shall include all information relating to the complaint which is known to the school district at the time of filing. Each district school board shall develop *and adopt* policies and procedures to comply with this reporting requirement. *School board policies and procedures must include standards for screening, hiring, and terminating instructional personnel and school administrators, as defined in s. 1012.01; standards of ethical conduct for instructional personnel and school administrators; the duties of instructional personnel and school administrators for upholding the standards; detailed procedures for reporting alleged misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student; requirements for the reassignment of instructional personnel or school administrators pending the outcome of a misconduct investigation; and penalties for failing to comply with s. 1001.51 or s. 1012.795.* The district school board policies and procedures shall include appropriate penalties for all personnel of the district school board for nonreporting and procedures for promptly informing the district school superintendent of each legally sufficient complaint. The district school superintendent is charged with knowledge of these policies and procedures *and is accountable for the training of all instructional personnel and school administrators of the school district on the standards of ethical conduct, policies, and procedures*. If the district school superintendent has knowledge of a legally sufficient complaint and does not report the complaint, or fails to enforce the policies and procedures of the district school board, and fails to comply with the requirements of this subsection, in addition to other actions against certificateholders authorized by law, the district school superintendent *is* ~~shall be~~ subject to penalties as specified in s. 1001.51(12). *If the superintendent determines that misconduct by instructional personnel or school administrators who hold an educator certificate affects the health, safety, or welfare of a student and the misconduct warrants termination, the instructional personnel or school administrators may resign or be terminated and the superintendent must report the misconduct to the department in the format prescribed by the department. The department shall maintain each report of misconduct as a public record in the instructional personnel's or school administrators' certification files.* This paragraph does not limit or restrict the power and duty of the department to investigate complaints ~~as provided in paragraphs (a) and (b)~~, regardless of the school district's untimely filing, or failure to file, complaints and followup reports.

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator- certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students under s. 220.187 or s. 1002.39, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

(f)~~(d)~~ Notwithstanding any other law, all law enforcement agencies, state attorneys, social service agencies, district school boards, and the Division of Administrative Hearings shall fully cooperate with and, upon request, shall provide unredacted documents to the Department of Education to further investigations and prosecutions conducted pursuant to this section. Any document received ~~pursuant to this paragraph~~ may not be redisclosed except as authorized by law.

(3) The department staff shall advise the commissioner concerning the findings of the investigation. The department general counsel or members of that staff shall review the investigation and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause *if,* ~~when~~ in his or her judgment*,* such agreements *are* ~~would be~~ in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into *if* ~~where~~ there is probable cause to believe that a felony or an act of moral turpitude *, as defined by rule of the State Board of Education,* has occurred. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(5) When *an allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, is received, if the alleged misconduct affects* ~~deemed necessary to protect~~ the health, safety, *or* ~~and~~ welfare of a ~~minor~~ student, the district school superintendent in consultation with the school principal*, or* ~~may, and~~ upon the request of the Commissioner of Education*, must immediately* ~~shall, temporarily~~ suspend *the instructional personnel or school administrators* ~~a certificateholder~~ from ~~the certificateholder's~~ regularly assigned duties, with pay, and reassign the suspended *personnel or administrators* ~~certificateholder~~ to *positions* ~~a position~~ that *do* ~~does~~ not require direct contact with students in the district school system. Such suspension shall continue until the completion of the proceedings and the determination of sanctions, if any, pursuant to this section and s. 1012.795.

Section 34. Paragraph (b) of subsection (4) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(4) The Department of Education, school districts, schools, community colleges, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of community colleges and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually.

5. Require each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. The individual professional development plan must:

a. Be related to specific performance data for the students to whom the teacher is assigned.

b. Define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity.

c. Include an evaluation component that determines the effectiveness of the professional development plan.

6. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

8. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Section 35. Subsection (4) of section 1013.03, Florida Statutes, is amended to read:

1013.03 Functions of the department and the Board of Governors.—The functions of the Department of Education as it pertains to educational facilities of school districts and community colleges and of the Board of Governors as it pertains to educational facilities of state universities shall include, but not be limited to, the following:

(4) Require each board and other appropriate agencies to submit complete and accurate financial data as to the amounts of funds from all sources that are available and spent for construction and capital improvements. The commissioner shall prescribe the format and the date for the submission of this data and any other educational facilities data. If any district does not submit the required educational facilities fiscal data by the prescribed date, the Commissioner of Education shall notify the district school board of this fact and, if appropriate action is not taken to immediately submit the required report, the district school board shall be directed to proceed pursuant to *s. 1001.42(13)(b)* ~~the provisions of s. 1001.42(11)(b)~~. If any community college or university does not submit the required educational facilities fiscal data by the prescribed date, the same policy prescribed in this subsection for school districts shall be implemented.

Section 36. *The sum of $153,872 is appropriated from the Educational Certification and Services Trust Fund to the Department of Education for the 2008-2009 fiscal year, and two additional full-time equivalent positions and associated salary rate of 90,088 are authorized, for the purpose of implementing this act.*

Section 37. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain felony offenses against a minor as additional offenses that constitute a breach of the public trust; requiring a person committing such an offense to forfeit benefits under certain public retirement systems; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who commits certain felony offenses against a minor; conforming a cross-reference; creating ss. 794.09 and 800.05, F.S.; providing notice in the criminal statutes that certain retirement benefits are subject to forfeiture for committing certain felony offenses against a minor; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept school choice scholarship students in developing policies, procedures, and training related to employment practices and standards of ethical conduct; requiring the department to provide authorized staff with access to certain databases for employment history verification; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt standards of ethical conduct and provide training for instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a school district from providing employment references for specified personnel and administrators except under certain circumstances; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a district school system under specified conditions; providing that a district school board official who knowingly signs and transmits a false or incorrect report, or fails to adopt certain policies, forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent forfeits his or her salary for a specified period following failure to investigate and report allegations of certain misconduct by specified personnel or administrators; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and laboratory schools; conforming cross-references; amending s. 1002.33, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a charter school under specified conditions; requiring charter schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a charter school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a charter school to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring a charter school's sponsor to terminate the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of personnel; amending s. 1002.421, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a private school that accepts certain scholarship students under specified conditions; requiring certain private schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel or school administrators which have the effect of concealing certain misconduct; prohibiting a private school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a private school to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring the Department of Education to suspend enrollment of new students and the payment of funds to a private school failing to comply with these requirements; amending ss. 1003.413, 1003.53, and 1004.92, F.S., relating to educational instruction and programs; conforming cross-references; amending s. 1006.061, F.S.; requiring district school boards, charter schools, and private schools that accept certain scholarship students to post policies for reporting child abuse and misconduct by specified personnel and administrators; requiring the principal of such schools to act as a liaison in suspected cases of child abuse; requiring the Department of Education to publish sample notices; amending ss. 1008.33, 1008.345, 1010.215, and 1011.18, F.S., relating to accountability procedures; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional personnel and school administrators from employment in certain positions that require direct contact with students; amending s. 1012.32, F.S.; requiring specified personnel or administrators who committed certain crimes to be disqualified from employment in certain positions in a district school system or charter school under specified conditions; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or commission of certain crimes; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising requirements for conducting state and federal criminal records checks of persons seeking certification; requiring a person who committed certain crimes to be ineligible for certification under specified conditions; providing for the Department of Education to maintain educator records in an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of panels appointed to review complaints against teachers and administrators; amending s. 1012.795, F.S.; providing for the suspension of the educator certificate of a person who knowingly fails to report child abuse or misconduct by specified personnel or administrators; clarifying authority of the commission to discipline educators who commit certain crimes; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to standards of ethical conduct; providing that the district school superintendent is accountable for training of instructional personnel and school administrators on the standards, policies, and procedures; requiring employers of certificated personnel to report misconduct by such personnel to the Department of Education; requiring that instructional personnel or school administrators be immediately suspended and reassigned under certain circumstances; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the Department of Education and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

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

CS for CS for CS for SB 1712 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—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1908, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 1908—A bill to be entitled An act relating to the designation of high school grades; amending s. 1008.34, F.S, relating to the school grading system; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; providing an effective date.

Substitute House Amendment 1 (981193)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Sunshine State Standards.—

(1) Public K-12 educational instruction in Florida is based on the "Sunshine State Standards." *The State Board of Education shall review the Sunshine State Standards and replace them with the Next Generation Sunshine State Standards that establish the core content of the curricula to be taught in this state and that specify the core content knowledge and skills that K-12 public school students are expected to acquire. The Next Generation Sunshine State Standards must, at a minimum:*

(a) Establish the core curricular content for language arts, science, mathematics, and social studies, as follows:

1. Language arts standards must establish specific curricular content for, at a minimum, the reading process, literary analysis, the writing process, writing applications, communication, and information and media literacy. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The language arts standards for grades 9 through 12 may be organized by grade clusters of more than one grade level. The language arts standards must also identify significant literary genres and authors that encompass a comprehensive range of historical periods. The State Board of Education shall, in accordance with the expedited schedule established under subsection (2), review and replace the language arts standards adopted by the state board in 2007 with Next Generation Sunshine State Standards that comply with this subparagraph.

2. Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The science standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

3. Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, probability, statistics, calculus, discrete mathematics, financial literacy, and trigonometry. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The mathematics standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

4. Social studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, economics, and humanities. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The social studies standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

(b) Establish the core curricular content for visual and performing arts, physical education, health, and foreign languages. Standards for these subjects must establish specific curricular content and include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(c) Identify the core curricular content that a student is expected to learn for each subject at each individual grade level in order to acquire the broad background knowledge needed for reading comprehension.

(d) Be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time.

(e) Integrate critical-thinking and problem-solving skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills.

(f) Be organized according to a uniform structure and format that is consistent for each subject. The Next Generation Sunshine State Standards shall, for each subject and grade level, use the same alphanumeric coding system.

(g) Be aligned to expectations for success in postsecondary education and high-skill, high-wage employment.

(2) By December 31, 2008, the State Board of Education shall establish an expedited schedule for adoption of the Next Generation Sunshine State Standards and shall establish by rule a schedule for the periodic review and revision of the standards. The state board shall adopt the Next Generation Sunshine State Standards for each subject by December 31, 2011.

(3)(a) The Commissioner of Education shall develop and submit to the State Board of Education proposed Next Generation Sunshine State Standards, and periodically submit proposed revisions to the standards, for adoption by the state board according to the schedules established under subsection (2). The commissioner, in developing the proposed standards, shall consult with renowned experts on K-12 curricular standards and content in each subject listed in paragraphs (1)(a) and (b) and shall consider standards that are implemented by other states or nations and regarded as exceptionally rigorous by the curricular and content experts. The commissioner may also consult with curricular and content experts in other subjects.

(b) The commissioner shall submit the proposed standards for review and comment by Florida educators, school administrators, representatives of community colleges and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education, and leaders in business and industry. The commissioner, after considering any comments and making any revisions to the proposed standards, shall submit the standards for written evaluation by renowned experts on K-12 curricular standards and content.

(c) The commissioner, upon finalizing the proposed standards, shall submit the standards and evaluations by the curricular and content experts to the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 21 days before the State Board of Education considers adoption of the proposed standards.

(4) The State Board of Education may adopt rules under ss. 120.536(1) and 120.54 to administer this section. ~~These standards have been adopted by the State Board of Education and delineate the academic achievement of students, for which the state will hold schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in the subjects of language arts, mathematics, science, social studies, the arts, health and physical education, and foreign languages. They include standards in reading, writing, history, government, geography, economics, and computer literacy.~~

Section 2. Paragraph (i) of subsection (9) of section 220.187, Florida Statutes, is amended to read:

220.187 Credits for contributions to nonprofit scholarship-funding organizations.—

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(i) *Maintain a list of* ~~In accordance with State Board of Education rule, identify and select the~~ nationally norm-referenced tests *identified*

for purposes of satisfying the testing requirement in subparagraph (8)(c)2. The tests must meet ~~that are comparable to the norm-referenced provisions of the Florida Comprehensive Assessment Test (FCAT) provided that the FCAT may be one of the tests selected. However, the Department of Education may approve the use of an additional assessment by the school if the assessment meets~~ industry standards of quality *in accordance with State Board of Education rule* ~~and comparability~~.

Section 3. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(7) "Sunshine State Standards" *or the "Next Generation Sunshine State Standards" means the state's public K-12 curricular* ~~are~~ standards *adopted under s. 1003.41. The term includes the Sunshine State Standards that are in place for a subject until the standards for that subject are replaced under s. 1003.41 by the Next Generation Sunshine State Standards.* ~~that identify what public school students should know and be able to do. These standards delineate the academic achievement of students for which the state will hold its public schools accountable in grades K-2, 3-5, 6-8, and 9-12, in the subjects of language arts, mathematics, science, social studies, the arts, health and physical education, foreign languages, reading, writing, history, government, geography, economics, and computer literacy.~~

Section 4. Subsection (1) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(1) PUBLIC K-12 *CURRICULAR* ~~STUDENT PERFORMANCE~~ STANDARDS.—The State Board of Education shall *adopt and periodically review and revise* ~~approve the student performance standards known as~~ the Sunshine State Standards in *accordance with s. 1003.41* ~~key academic subject areas and grade levels. The state board shall establish a schedule to facilitate the periodic review of the standards to ensure adequate rigor, relevance, logical student progression, and integration of reading, writing, and mathematics across all subject areas. The standards review by subject area must include participation of curriculum leaders in other content areas, including the arts, to ensure valid content area integration and to address the instructional requirements of different learning styles. The process for review and proposed revisions must include leadership and input from the state's classroom teachers, school administrators, and community colleges and universities, and from representatives from business and industry who are identified by local education foundations. A report including proposed revisions must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually to coincide with the established review schedule. The review schedule and an annual status report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually not later than January 1.~~

Section 5. Paragraph (a) of subsection (1) of section 1001.452, Florida Statutes, is amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of the provisions of ss. 1001.42(16) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school *district*. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures for use by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory council which shall include at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" shall include classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

Section 6. Paragraph (i) of subsection (3) of section 1003.413, Florida Statutes, is amended to read:

1003.413 Florida Secondary School Redesign Act.—

(3) Based on these guiding principles, district school boards shall establish policies to implement the requirements of ss. 1003.4156, 1003.428, and 1003.493. The policies must address:

(i) *An annual review of each high school student's electronic personal education plan created pursuant to s. 1003.4156 and* procedures for high school students who have not prepared an electronic personal education plan pursuant to s. 1003.4156 to prepare such plan.

Section 7. Paragraph (a) of subsection (2), paragraph (b) of subsection (4), and paragraph (a) of subsection (8) of section 1003.428, Florida Statutes, are amended to read:

1003.428 General requirements for high school graduation; revised.—

(2) The 24 credits may be earned through applied, integrated, and combined courses approved by the Department of Education and shall be distributed as follows:

(a) Sixteen core curriculum credits:

1. Four credits in English, with major concentration in composition, reading for information, and literature.

2. Four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. School districts are encouraged to set specific goals to increase enrollments in, and successful completion of, geometry and Algebra II.

3. Three credits in science, two of which must have a laboratory component.

4. Three credits in social studies as follows: one credit in American history; one credit in world history; one-half credit in economics; and one-half credit in American government.

5. One credit in fine or performing arts, ~~which may include~~ speech and debate*, or a practical arts course that incorporates artistic content*

and techniques of creativity, interpretation, and imagination. Eligible practical arts courses shall be identified through the Course Code Directory.

6. One credit in physical education to include integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness must be developed by the Department of Education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan.

(4) Each district school board shall establish standards for graduation from its schools, which must include:

(b) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Each district school board shall adopt policies designed to assist students in meeting the requirements of this subsection. These policies may include, but are not limited to: forgiveness policies, summer school or before or after school attendance, special counseling, volunteers or peer tutors, school-sponsored help sessions, homework hotlines, and study skills classes. Forgiveness policies for required courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of "C," "D," or "F" or the equivalent of a grade of "C," "D," or "F." In such case, the district forgiveness policy must allow the replacement of the grade with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student's grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

(8)(a) Each district school board must provide instruction to prepare students with disabilities to demonstrate proficiency in the *core content knowledge and* skills ~~and competencies~~ necessary for successful grade-to-grade progression and high school graduation.

Section 8. Section 1003.4285, Florida Statutes, is created to read:

1003.4285 Standard high school diploma designations.—By the 2008-2009 school year, each standard high school diploma shall include, as applicable:

(1) A designation of the student's major area of interest pursuant to the student's completion of credits as provided in s. 1003.428.

(2) A designation reflecting completion of four or more accelerated college credit courses if the student is eligible for college credit pursuant to s. 1007.27 or s. 1007.271 in Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, or dual enrollment courses. The Commissioner of Education shall establish guidelines for successful passage of examinations or coursework in each of the accelerated college credit options for purposes of this subsection.

(3) A designation reflecting career education certification in accordance with s. 1003.431.

(4) A designation reflecting a Florida Ready to Work Credential in accordance with s. 1004.99.

Section 9. Paragraph (a) of subsection (6) of section 1003.429, Florida Statutes, is amended to read:

1003.429 Accelerated high school graduation options.—

(6) Students pursuing accelerated 3-year high school graduation options pursuant to paragraph (1)(b) or paragraph (1)(c) are required to:

(a) Earn passing scores on the FCAT as defined in s. 1008.22(3)(c) or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Weighted grades referred to in paragraphs (b), (c), and (d) shall be applied to those courses specifically listed or identified by the department as rigorous pursuant to s. 1009.531(3) or weighted by the district school board for class ranking purposes.

Section 10. Paragraph (a) of subsection (5) and paragraph (a) of subsection (11) of section 1003.43, Florida Statutes, are amended to read:

1003.43 General requirements for high school graduation.—

(5) Each district school board shall establish standards for graduation from its schools, and these standards must include:

(a) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

The standards required in this subsection, and any subsequent modifications, shall be reprinted in the Florida Administrative Code even though not defined as "rules."

(11)(a) Each district school board must provide instruction to prepare students with disabilities to demonstrate proficiency in the *core content knowledge and* skills ~~and competencies~~ necessary for successful grade-to-grade progression and high school graduation.

Section 11. Subsection (1) of section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

(1) Students who enter a Florida public school at the eleventh or twelfth grade from out of state or from a foreign country shall not be required to spend additional time in a Florida public school in order to meet the high school course requirements if the student has met all requirements of the school district, state, or country from which he or she is transferring. Such students who are not proficient in English should receive immediate and intensive instruction in English language acquisition. However, to receive a standard high school diploma, a transfer student must earn a 2.0 grade point average and pass the grade 10 FCAT required in s. 1008.22(3) or an alternate assessment as described in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Section 12. Paragraph (d) of subsection (6) of section 1003.63, Florida Statutes, is amended to read:

1003.63 Deregulated public schools pilot program.—

(6) ELEMENTS OF THE PROPOSAL.—The major issues involving the operation of a deregulated public school shall be considered in advance and written into the proposal.

(d) Upon receipt of the annual report required by paragraph (b), the Department of Education shall provide the State Board of Education, the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives with a copy of each report and an analysis and comparison of the overall performance of students, to include all students in deregulated public schools whose scores are counted as part of the statewide assessment tests, versus comparable

public school students in the district as determined by *statewide assessments administered under s. 1008.22(3)* ~~FCAT~~ and district assessment tests ~~and, as appropriate, the Florida Writes Assessment Test, and other assessments administered pursuant to s. 1008.22(3)~~.

Section 13. Paragraphs (c) and (d) of subsection (3) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer alternative certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. Such programs shall be competency-based educator certification preparation programs that prepare educators through an alternative route. An educator preparation institute choosing to offer an alternative certification program pursuant to the provisions of this section must implement a program previously approved by the Department of Education for this purpose or a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(c) Upon completion of an alternative certification program approved pursuant to this subsection, a participant shall receive a credential from the sponsoring institution signifying satisfaction of the requirements of *s. 1012.56(6)* ~~s. 1012.56(5)~~ relating to mastery of professional preparation and education competence. A participant shall be eligible for educator certification through the Department of Education upon satisfaction of all requirements for certification set forth in s. 1012.56(2), including demonstration of mastery of general knowledge, subject area knowledge, and professional preparation and education competence, through testing or other statutorily authorized means.

(d) If an institution offers an alternative certification program approved pursuant to this subsection, such program may be used by the school district or districts served by that institution in addition to the alternative certification program as required in *s. 1012.56(8)* ~~s. 1012.56(7)~~ .

Section 14. Subsection (3) of section 1004.91, Florida Statutes, is amended to read:

1004.91 Career-preparatory instruction.—

(3) An adult student with a disability may be exempted from the provisions of this section. A student who possesses a college degree at the associate in applied science level or higher is exempt from this section. A student who has completed or who is exempt from the college-level communication and computation skills examination pursuant to s. 1008.29, or who is exempt from the college entry-level examination pursuant to s. 1008.29, is exempt from the provisions of this section. Students who have passed a state, national, or industry licensure exam are exempt from this section. *An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with the provisions of chapter 446 is exempt from the provisions of this section.*

Section 15. Paragraph (d) of subsection (3) of section 1004.99, 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:

1004.99 Florida Ready to Work Certification Program.—

(3) The Florida Ready to Work Certification Program shall be composed of:

(d) A *Florida Ready to Work Credential* ~~certificate~~ and portfolio awarded to students upon successful completion of the instruction. Each portfolio must delineate the skills demonstrated by the student as evidence of the student's preparation for employment.

(4) A Florida Ready to Work Credential shall be awarded to a student who successfully passes assessments in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of comparable rigor. Each assessment shall be scored on a scale of 3 to 7. The level of the credential each student receives is based on the following:

(a) A bronze-level credential requires a minimum score of 3 or above on each of the assessments.

(b) A silver-level credential requires a minimum score of 4 or above on each of the assessments.

(c) A gold-level credential requires a minimum score of 5 or above on each of the assessments.

Section 16. Paragraph (c) of subsection (2) of section 1007.21, Florida Statutes, is amended to read:

1007.21 Readiness for postsecondary education and the workplace.—

(2)

(c) The common placement test authorized in ss. 1001.03(10) and 1008.30 or a similar test may be administered to ~~all~~ high school *students* ~~second semester sophomores~~ who have chosen one of the four destinations. The results of the placement test shall be used to target additional instructional needs in reading, writing, and mathematics prior to graduation.

Section 17. Paragraph (b) of subsection (2) of section 1007.235, Florida Statutes, is amended to read:

1007.235 District interinstitutional articulation agreements.—

(2) The district interinstitutional articulation agreement for each school year must be completed before high school registration for the fall term of the following school year. The agreement must include, but is not limited to, the following components:

(b)1. A delineation of courses and programs available to students eligible to participate in dual enrollment. This delineation must include a plan for the community college to provide guidance services to participating students on the selection of courses in the dual enrollment program. The process of community college guidance should make maximum use of the automated advisement system for community colleges. The plan must assure that each dual enrollment student is encouraged to identify a postsecondary education objective with which to guide the course selection. At a minimum, each student's plan should include a list of courses that will result in an Applied Technology Diploma, an Associate in Science degree, or an Associate in Arts degree. If the student identifies a baccalaureate degree as the objective, the plan must include courses that will meet the general education requirements and any prerequisite requirements for entrance into a selected baccalaureate degree program.

2. A delineation of the process by which students and their parents are informed about opportunities to participate in articulated acceleration programs.

3. A delineation of the process by which students and their parents exercise their option to participate in an articulated acceleration program.

4. A delineation of high school credits earned for completion of each dual enrollment course.

5. Provision for postsecondary courses that meet the criteria for inclusion in a district articulated acceleration program to be counted toward meeting the graduation requirements of s. 1003.43.

6. An identification of eligibility criteria for student participation in dual enrollment courses and programs.

7. A delineation of institutional responsibilities regarding student screening prior to enrollment and monitoring student performance subsequent to enrollment in dual enrollment courses and programs.

8. An identification of the criteria by which the quality of dual enrollment courses and programs are to be judged and a delineation of institutional responsibilities for the maintenance of instructional quality.

9. A delineation of institutional responsibilities for assuming the cost of dual enrollment courses and programs that includes such responsibilities for student instructional materials.

10. An identification of responsibility for providing student transportation if the dual enrollment instruction is conducted at a facility other than the high school campus.

11. A delineation of the process for converting college credit hours earned through dual enrollment and early admission programs to high school credit based on mastery of course outcomes as determined by the Department of Education in accordance with s. 1007.271(6).

12. An identification of the responsibility of the postsecondary educational institution for assigning letter grades for dual enrollment courses and the responsibility of school districts for posting dual enrollment course grades to the high school transcript as assigned by the postsecondary institution awarding the credit.

Section 18. Section 1008.22, Florida Statutes, is amended to read:

1008.22 Student assessment program for public schools.—

(1) PURPOSE.—The primary purposes of the student assessment program are to provide information needed to improve the public schools by enhancing the learning gains of all students and to inform parents of the educational progress of their public school children. The program must be designed to:

(a) Assess the annual learning gains of each student toward achieving the Sunshine State Standards appropriate for the student's grade level.

(b) Provide data for making decisions regarding school accountability and recognition.

(c) Identify the educational strengths and needs of students and the readiness of students to be promoted to the next grade level or to graduate from high school with a standard or special high school diploma.

(d) Assess how well educational goals and *curricular* ~~performance~~ standards are met at the school, district, and state levels.

(e) Provide information to aid in the evaluation and development of educational programs and policies.

(f) Provide information on the performance of Florida students compared with that of other students across the United States.

(2) NATIONAL EDUCATION COMPARISONS.—It is Florida's intent to participate in the measurement of national educational goals. The Commissioner of Education shall direct Florida school districts to participate in the administration of the National Assessment of Educational Progress, or a similar national assessment program, both for the national sample and for any state-by-state comparison programs which may be initiated. *The* ~~Such~~ assessments must be conducted using the data collection procedures, the student surveys, the educator surveys, and other instruments included in the National Assessment of Educational Progress or similar program being administered in Florida. The results of these assessments shall be included in the annual report of the Commissioner of Education specified in this section. The administration of the National Assessment of Educational Progress or similar program shall be in addition to and separate from the administration of the statewide assessment program.

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

(a) Submit *proposed Next Generation Sunshine State Standards* to the State Board of Education *for adoption and periodic review and revision under s. 1003.41* ~~a list that specifies student skills and competencies to which the goals for education specified in the state plan apply, including, but not limited to, reading, writing, science, and mathematics. The skills and competencies must include problem-solving and higher-order skills as appropriate and shall be known as the Sunshine State Standards as defined in s. 1000.21. The commissioner shall select such skills and competencies after receiving recommendations from educators, citizens, and members of the business community. The commissioner shall submit to the State Board of Education revisions to the list of student skills and competencies in order to maintain continuous progress toward improvements in student proficiency.~~

(b) Develop and implement a uniform system of indicators to describe the performance of public school students and the characteristics of the public school districts and the public schools. These indicators must include, without limitation, information gathered by the comprehensive management information system created pursuant to s. 1008.385 and student achievement information obtained pursuant to this section.

(c) Develop and implement a student achievement testing program known as the Florida Comprehensive Assessment Test (FCAT) as part of the statewide assessment program to measure *a student's content knowledge and skills in* reading, writing, science, and mathematics. Other content areas may be included as directed by the commissioner. *Comprehensive assessments* ~~The assessment~~ of reading and mathematics shall be administered annually in grades 3 through 10. *Comprehensive assessments* ~~The assessment~~ of writing and science shall be administered at least once at the elementary, middle, and high school levels. *End-of-course assessments for a subject may be administered in addition to the comprehensive assessments required for that subject under this paragraph. An end-of-course assessment must be rigorous, statewide, standardized, and developed or approved by the department. The content knowledge and skills assessed by comprehensive and end-of-course assessments must be aligned to the core curricular content established in the Sunshine State Standards. The commissioner may select one or more nationally developed comprehensive examinations, which may include, but need not be limited to, examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course or industry-approved examinations to earn national industry certifications as defined in s. 1003.492, for use as end-of-course assessments under this paragraph, if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. The commissioner may collaborate with the American Diploma Project in the adoption or development of rigorous end-of-course assessments that are aligned to the Next Generation Sunshine State Standards* ~~The commissioner must document the procedures used to ensure that the versions of the FCAT which are taken by students retaking the grade 10 FCAT are equally as challenging and difficult as the tests taken by students in grade 10 which contain performance tasks~~. The testing program must be designed *as follows* ~~so that~~:

1. The tests *shall* measure student skills and competencies adopted by the State Board of Education as specified in paragraph (a). The tests must measure and report student proficiency levels of all students assessed in reading, writing, mathematics, and science. The commissioner shall provide for the tests to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators, assistive technology experts, and the public.

2. The testing program *shall be composed* ~~will include a combination~~ of ~~norm-referenced and~~ criterion-referenced tests *that shall* ~~and include~~, to the extent determined by the commissioner, *include test items* ~~questions~~ that require the student to produce information or perform tasks in such a way that the *core content knowledge and* skills ~~and competencies~~ he or she uses can be measured.

3. *Beginning with the 2008-2009 school year, the commissioner shall discontinue administration of the selected-response test items on the comprehensive assessments of writing. Beginning with the 2012-2013 school year, the comprehensive assessments of writing shall be composed of a combination of selected-response test items, short-response performance tasks, and extended-response performance tasks, which shall measure a student's content knowledge of writing, including, but not limited to, paragraph and sentence structure, sentence construction, grammar and*

usage, punctuation, capitalization, spelling, parts of speech, verb tense, irregular verbs, subject-verb agreement, and noun-pronoun agreement. ~~Each testing program, whether at the elementary, middle, or high school level, includes a test of writing in which students are required to produce writings that are then scored by appropriate and timely methods.~~

4. A score *shall be* ~~is~~ designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

5. Except as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a passing score on the grade 10 assessment test described in this paragraph or attain concordant scores as described in subsection (9) in reading, writing, and mathematics to qualify for a standard high school diploma. The State Board of Education shall designate a passing score for each part of the grade 10 assessment test. In establishing passing scores, the state board shall consider any possible negative impact of the test on minority students. The State Board of Education shall adopt rules which specify the passing scores for the grade 10 FCAT. Any such rules, which have the effect of raising the required passing scores, shall ~~only~~ apply *only* to students taking the grade 10 FCAT for the first time after such rules are adopted by the State Board of Education.

6. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the commissioner. If a student does not participate in the statewide assessment, the district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such instructional accommodations. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of test accommodations for students in exceptional education programs and for students who have limited English proficiency. Accommodations that negate the validity of a statewide assessment are not allowable in the administration of the FCAT. However, instructional accommodations are allowable in the classroom if included in a student's individual education plan. Students using instructional accommodations in the classroom that are not allowable as accommodations on the FCAT may have the FCAT requirement waived pursuant to the requirements of s. 1003.428(8)(b) or s. 1003.43(11)(b).

7. A student seeking an adult high school diploma must meet the same testing requirements that a regular high school student must meet.

8. District school boards must provide instruction to prepare students to demonstrate proficiency in the *core curricular content established in the Next Generation Sunshine State Standards adopted under s. 1003.41, including the core content knowledge and* skills ~~and competencies~~ necessary for successful grade-to-grade progression and high school graduation. If a student is provided with instructional accommodations in the classroom that are not allowable as accommodations in the statewide assessment program, as described in the test manuals, the district must inform the parent in writing and must provide the parent with information regarding the impact on the student's ability to meet expected proficiency levels in reading, writing, and *mathematics* ~~math~~. The commissioner shall conduct studies as necessary to verify that the required *core curricular content is* ~~skills and competencies are~~ part of the district instructional programs.

9. District school boards must provide opportunities for students to demonstrate an acceptable level of performance on an alternative standardized assessment approved by the State Board of Education following enrollment in summer academies.

10. The Department of Education must develop, or select, and implement a common battery of assessment tools that will be used in all juvenile justice programs in the state. These tools must accurately measure the *core curricular content* ~~skills and competencies~~ established in the Sunshine State Standards.

11. For students seeking a special diploma pursuant to s. 1003.438, the Department of Education must develop or select and implement an alternate assessment tool that accurately measures the *core curricular content* ~~skills and competencies~~ established in the Sunshine State Standards for students with disabilities under s. 1003.438.

12. The Commissioner of Education shall establish schedules for the administration of statewide assessments and the reporting of student test results. The commissioner shall, by August 1 of each year, notify each school district in writing and publish on the department's Internet website the testing and reporting schedules for, at a minimum, the school year following the upcoming school year. The testing and reporting schedules shall require that:

a. There is the latest possible administration of statewide assessments and the earliest possible reporting to the school districts of student test results which is feasible within available technology and specific appropriations; however, test results must be made available no later than the final day of the regular school year for students.

b. Beginning with the 2010-2011 school year, a comprehensive statewide assessment of writing is not administered earlier than the week of March 1 and a comprehensive statewide assessment of any other subject is not administered earlier than the week of April 15.

c. A statewide standardized end-of-course assessment is administered within the last 2 weeks of the course.

The commissioner may, based on collaboration and input from school districts, design and implement student testing programs, for any grade level and subject area, necessary to effectively monitor educational achievement in the state, including the measurement of educational achievement of the Sunshine State Standards for students with disabilities. Development and refinement of assessments shall include universal design principles and accessibility standards that will prevent any unintended obstacles for students with disabilities while ensuring the validity and reliability of the test. These principles should be applicable to all technology platforms and assistive devices available for the assessments. The field testing process and psychometric analyses for the statewide assessment program must include an appropriate percentage of students with disabilities and an evaluation or determination of the effect of test items on such students.

(d) Conduct ongoing research to develop improved methods of assessing student performance, including, without limitation, the use of technology to administer tests, score, or report the results of, the use of electronic transfer of data, the development of work-product assessments, and the development of process assessments.

(e) Conduct ongoing research and analysis of student achievement data, including, without limitation, monitoring trends in student achievement by grade level and overall student achievement, identifying school programs that are successful, and analyzing correlates of school achievement.

(f) Provide technical assistance to school districts in the implementation of state and district testing programs and the use of the data produced pursuant to such programs.

(g) Study the cost and student achievement impact of secondary end-of-course assessments, including web-based and performance formats, and report to the Legislature prior to implementation.

(4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED ACTIVITIES.—Beginning with the 2008-2009 school year, a district school board shall prohibit each public school from suspending a regular program of curricula for purposes of administering practice tests or engaging in other test-preparation activities for a statewide assessment. However, a district school board may authorize a public school to engage in the following test-preparation activities for a statewide assessment:

(a) Distributing to students the sample test books and answer keys published by the Department of Education.

(b) Providing individualized instruction in test-taking strategies, without suspending the school's regular program of curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment.

(c) Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of

curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.

(d) Incorporating test-taking exercises and strategies into curricula for intensive reading and mathematics intervention courses.

(e) Administering a practice test or engaging in other test-preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the test items, and the test directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(5)~~(4)~~ DISTRICT TESTING PROGRAMS.—Each district school board shall periodically assess student performance and achievement within each school of the district. The assessment programs must be based *on the core curricular content established in the Next Generation Sunshine State Standards and any* ~~upon~~ local goals and objectives that are compatible with the state plan for education and that supplement the *core content knowledge and* skills *necessary for successful grade-to-grade progression and high school graduation* ~~and competencies adopted by the State Board of Education~~. All school districts must participate in the statewide assessment program designed to measure annual student learning and school performance. All district school boards shall report assessment results as required by the state management information system.

(6)~~(5)~~ SCHOOL TESTING PROGRAMS.—Each public school shall participate in the statewide assessment program *in accordance with the testing and reporting schedules published by the Commissioner of Education under subparagraph (3)(c)12.*~~,~~ unless specifically exempted by state board rule based on serving a specialized population for which standardized testing is not appropriate. Student performance data shall be analyzed and reported to parents, the community, and the state. Student performance data shall be used in developing objectives of the school improvement plan, evaluation of instructional personnel, evaluation of administrative personnel, assignment of staff, allocation of resources, acquisition of instructional materials and technology, performance-based budgeting, and promotion and assignment of students into educational programs. The analysis of student performance data also must identify strengths and needs in the educational program and trends over time. The analysis must be used in conjunction with the budgetary planning processes developed pursuant to s. 1008.385 and the development of the programs of remediation.

(7)~~(6)~~ REQUIRED ANALYSES.—The commissioner shall provide, at a minimum, for the following analyses of data produced by the student achievement testing program:

(a) The statistical system for the annual assessments shall use measures of student learning, such as the FCAT, to determine teacher, school, and school district statistical distributions, which shall be determined using available data from the FCAT, and other data collection as deemed appropriate by the Department of Education, to measure the differences in student prior year achievement compared to the current year achievement for the purposes of accountability and recognition.

(b) The statistical system shall provide the best estimates of teacher, school, and school district effects on student progress. The approach used by the department shall be approved by the commissioner before implementation.

(c) The annual testing program shall be administered to provide for valid statewide comparisons of learning gains to be made for purposes of accountability and recognition. ~~The commissioner shall establish a schedule for the administration of the statewide assessments. In establishing such schedule, the commissioner is charged with the duty to accomplish the latest possible administration of the statewide assessments and the earliest possible provision of the results to the school districts feasible within available technology and specific appropriation.~~ District school boards shall not establish school calendars that jeopardize or limit the valid testing and comparison of student learning gains.

(8)~~(7)~~ LOCAL ASSESSMENTS.—Measurement of the learning gains of students in all subjects and grade levels other than subjects and grade levels required for the state student achievement testing program is the responsibility of the school districts.

(9)~~(8)~~ APPLICABILITY OF TESTING STANDARDS.—

(a) If the Commissioner of Education revises a statewide assessment and the revisions require the State Board of Education to modify the assessment's proficiency levels or modify the passing scores required for a standard high school diploma, until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment which adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment.

(b) A student must *attain* ~~meet~~ the *passing scores on the statewide assessment required* ~~testing requirements~~ for *a standard* high school *diploma which are* ~~graduation that were~~ in effect at the time the student *enters* ~~entered 9th~~ grade *9 if*~~, provided~~ the student's enrollment *is* ~~was~~ continuous.

(c) If the commissioner revises a statewide assessment and the revisions require the State Board of Education to modify the passing scores required for a standard high school diploma, the commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. The state board shall adopt by rule passing scores for the revised assessment which are statistically equivalent to passing scores on the discontinued assessment for a student required under paragraph (b) to attain passing scores on the discontinued assessment.

(10)~~(9)~~ CONCORDANT SCORES FOR THE FCAT.—

(a) The State Board of Education shall analyze the content and concordant data sets for widely used high school achievement tests, including, but not limited to, the PSAT, PLAN, SAT, ACT, and College Placement Test, to assess if concordant scores for FCAT scores can be determined for high school graduation, college placement, and scholarship awards. In cases where content alignment and concordant scores can be determined, the Commissioner of Education shall adopt those scores as meeting the graduation requirement in lieu of achieving the FCAT passing score and may adopt those scores as being sufficient to achieve additional purposes as determined by rule. Each time that test content or scoring procedures *change* ~~are changed~~ for the FCAT or *for a high school achievement test for which a concordant score is determined* ~~one of the identified tests~~, new concordant scores must be determined.

(b) In order to use a concordant subject area score pursuant to this subsection to satisfy the assessment requirement for a standard high school diploma as provided in s. 1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must take each subject area of the grade 10 FCAT a total of three times without earning a passing score. The requirements of this paragraph shall not apply to a new student who enters the Florida public school system in grade 12, who may either achieve a passing score on the FCAT or use an approved subject area concordant score to fulfill the graduation requirement.

(c) The State Board of Education may define by rule the allowable uses, other than to satisfy the high school graduation requirement, for concordant scores as described in this subsection. Such uses may include, but need not be limited to, achieving appropriate standardized test scores required for the awarding of Florida Bright Futures Scholarships and college placement.

(11)~~(10)~~ REPORTS.—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the following:

(a) Longitudinal performance of students in mathematics and reading.

(b) Longitudinal performance of students by grade level in mathematics and reading.

(c) Longitudinal performance regarding efforts to close the achievement gap.

~~(d) Longitudinal performance of students on the norm-referenced component of the FCAT.~~

(d)~~(c)~~ Other student performance data based on national norm-referenced and criterion-referenced tests, when available, and numbers of students who after 8th grade enroll in adult education rather than other secondary education.

(12)~~(11)~~ RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

Section 19. Subsection (3) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(3) The State Board of Education shall adopt rules that ~~would~~ require high schools to *evaluate before the beginning of grade 12 the college readiness of each student who indicates an interest in postsecondary education and scores at Level 2 or Level 3 on the reading portion of the grade 10 FCAT or Level 2, Level 3, or Level 4 on the mathematics portion of the grade 10 FCAT. High schools shall perform this evaluation using results from* ~~give~~ the *corresponding component of the* common placement test prescribed in this section, or an equivalent test identified by the State Board of Education*. The Department of Education shall purchase or develop the assessments necessary to perform the evaluations required by this subsection and shall work with the school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a community college within 2 years of achieving such scores shall not be required to enroll in remediation courses as a condition of acceptance to any community college. The high school shall use the results of the test to advise the students of any identified deficiencies and to the maximum extent practicable provide 12th grade students access to appropriate remedial instruction prior to high school graduation. The remedial instruction provided under this subsection shall be a collaborative effort between secondary and postsecondary educational institutions. To the extent courses are available, the Florida Virtual School may be used to provided the remedial instruction required by this subsection*~~, at the beginning of the tenth grade year before enrollment in the eleventh grade year in public high school for the purpose of obtaining remedial instruction prior to entering public postsecondary education~~.

Section 20. Paragraph (c) of subsection (1) of section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:

(c) The K-20 education performance accountability system comply with the ~~accountability~~ requirements of the "No Child Left Behind Act of 2001," Pub. L. No. 107-110*, and the Individuals with Disabilities Education Act (IDEA)*.

Section 21. Subsection (3) of section 1008.34, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(a) Each school that has students who are tested and included in the school grading system~~, except an alternative school that receives a school improvement rating pursuant to s. 1008.341,~~ shall receive a school grade *, except as follows:*

1. A school shall not receive a school grade if the number of its students tested and included in the school grading system are fewer than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~; however,~~

2. An alternative school may choose to receive a school grade under this section *or* ~~in lieu of~~ a school improvement rating *under s. 1008.341.*

3. ~~Additionally,~~ A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school. ~~School grades itemized in subsection (2) shall be based on the following:~~

(b)1.~~(a)~~ ~~Criteria.—~~A school's grade shall be based on a combination of:

a.~~1.~~ Student achievement scores, including achievement scores for students seeking a special diploma.

b.~~2.~~ Student learning gains as measured by annual FCAT assessments in grades 3 through 10; learning gains for students seeking a special diploma, as measured by an alternate assessment tool, shall be included not later than the 2009-2010 school year.

c.~~3.~~ Improvement of the lowest 25th percentile of students in the school in reading, *mathematics* ~~math~~, or writing on the FCAT, unless these students are exhibiting satisfactory performance.

2. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining 50 percent on the following factors:

a. The high school graduation rate of the school;

b. As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students' achievement of industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

c. Postsecondary readiness of the school's students as measured by the SAT, ACT, or the common placement test;

d. The high school graduation rate of at-risk students who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations;

e. As valid data becomes available, the performance of the school's students on statewide standardized end-of-course assessments administered under s. 1008.22; and

f. The growth or decline in the components listed in sub-subparagraphs a.-e. from year to year.

(c)~~(b)~~ ~~Student assessment data.—~~Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT.

2. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT~~, including Florida Writes,~~ and who have scored at or in the lowest 25th percentile of students in the school in reading, *mathematics* ~~math~~, or writing, unless these students are exhibiting satisfactory performance.

3. Effective with the 2005-2006 school year, the achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. *As used in* ~~For purposes of~~ this section and s. 1008.341, *the term* "home school" means

the school *to which* the student *would be assigned if the student were not* ~~was attending when~~ assigned to an alternative school. If an alternative school chooses to be graded *under* ~~pursuant to~~ this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. *A school district that fails to assign the FCAT scores of each of its students to his or her home school or to the alternative school that receives a grade shall forfeit Florida School Recognition Program funds for 1 fiscal year.* School districts must require collaboration between the home school and the alternative school in order to promote student success. *This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.*

4. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the data listed in subparagraphs 1.-3. and the following data as the Department of Education determines such data are valid and available:

a. The high school graduation rate of the school as calculated by the Department of Education;

b. The participation rate of all eligible students enrolled in the school and enrolled in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and courses or sequence of courses leading to industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

c. The aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses, International Baccalaureate courses, and Advanced International Certificate of Education courses;

d. Earning of college credit by all eligible students enrolled in the school in dual enrollment programs under s. 1007.271;

e. Earning of an industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

f. The aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT, the ACT, and the common placement test for postsecondary readiness;

g. The high school graduation rate of all eligible at-risk students enrolled in the school who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations;

h. The performance of the school's students on statewide standardized end-of-course assessments administered under s. 1008.22; and

i. The growth or decline in the data components listed in sub-subparagraphs a.-h. from year to year.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools designated with a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading, *mathematics* ~~math~~, or writing on the FCAT~~, including Florida Writes~~, unless these students are exhibiting satisfactory performance. *Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students, as defined in this paragraph. Beginning in the 2009-2010 school year, in order for a high school to be designated as having a grade of "A," making excellent progress, the school must demonstrate that at-risk students, as defined in this paragraph, in the school are making adequate progress.*

(8) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 22. Subsection (2) and paragraph (b) of subsection (3) of section 1008.341, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1008.341 School improvement rating for alternative schools.—

(2) SCHOOL IMPROVEMENT RATING.—*An* alternative *school* ~~schools~~ that *provides* ~~provide~~ dropout prevention and academic intervention services pursuant to s. 1003.53 shall receive a school improvement rating pursuant to this section. *However, an alternative school shall not receive a school improvement rating if the number of its students for whom student performance data is available for the current year and previous year are fewer than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.* The school improvement rating shall identify *an alternative school* ~~schools~~ as having one of the following ratings defined according to rules of the State Board of Education:

(a) "Improving" means *the* ~~schools with~~ students *attending the school are* making more academic progress than when the students were served in their home schools.

(b) "Maintaining" means *the* ~~schools with~~ students *attending the school are* making progress equivalent to the progress made when the students were served in their home schools.

(c) "Declining" means *the* ~~schools with~~ students *attending the school are* making less academic progress than when the students were served in their home schools.

The school improvement rating shall be based on a comparison of student performance data for the current year and previous year. Schools that improve at least one level or maintain an "improving" rating pursuant to this section are eligible for school recognition awards pursuant to s. 1008.36.

(3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data used in determining an alternative school's school improvement rating shall include:

(b) The aggregate scores of all eligible students who were assigned to and enrolled in the school during the October or February FTE count, who have been assessed on the FCAT~~, including Florida Writes,~~ and who have scored in the lowest 25th percentile of students in the state on FCAT Reading.

The assessment scores of students who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice may not be included in an alternative school's school improvement rating.

(6) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 23. Paragraph (a) of subsection (8) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(8) As a part of the system of educational accountability, the Department of Education shall:

(a) Develop minimum ~~performance~~ standards for various grades and subject areas, as required in ss. 1001.03, 1008.22, and 1008.34.

Section 24. Subsection (2) of section 1008.36, Florida Statutes, is amended to read:

1008.36 Florida School Recognition Program.—

(2) The Florida School Recognition Program is created to provide financial awards to public schools that:

(a) Sustain high performance by receiving a school grade of "A," making excellent progress; or

(b) Demonstrate exemplary improvement due to innovation and effort by improving *at least one* ~~a~~ letter grade *or by improving more than one letter grade and sustaining the improvement the following school year*.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.

Section 25. Subsection (4) of section 1012.56, Florida Statutes, is renumbered as subsection (5) and amended, present subsections (5) through (16) are renumbered as subsections (6) through (17), respectively, and a new subsection (4) is added to that section, to read:

1012.56 Educator certification requirements.—

(4) ALIGNMENT OF SUBJECT AREAS.—As the Sunshine State Standards are replaced by the Next Generation Sunshine State Standards under s. 1003.41, the State Board of Education shall align the subject area examinations to the Next Generation Sunshine State Standards.

(5)~~(4)~~ MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) Achievement of passing scores on subject area examinations required by state board rule*, which may include, but need not be limited to, world languages in Arabic, Chinese, Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Portuguese, Russian, and Spanish* ;

(b) Completion of a bachelor's degree or higher and verification of the attainment of an oral proficiency interview score above the intermediate level and a written proficiency score above the intermediate level on a test administered by the American Council on the Teaching of Foreign Languages for which there is no Florida-developed examination;

(c)~~(b)~~ Completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school for a subject area for which a subject area examination has not been developed and required by state board rule;

(d)~~(c)~~ Completion of the subject area specialization requirements specified in state board rule for a subject coverage requiring a master's or higher degree and achievement of a passing score on the subject area examination specified in state board rule;

(e)~~(d)~~ A valid professional standard teaching certificate issued by another state; or

(f)~~(e)~~ A valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education.

School districts are encouraged to provide mechanisms for those middle school teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

Section 26. Subsection (1) of section 1012.57, Florida Statutes, is amended to read:

1012.57 Certification of adjunct educators.—

(1) Notwithstanding the provisions of ss. 1012.32, 1012.55, and 1012.56, or any other provision of law or rule to the contrary, district school boards shall adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and *(10)* ~~(9)~~ and who has expertise in the subject area to be taught. An applicant shall be considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test. The adjunct teaching certificate shall be used for part-time teaching positions. The intent of this provision is to allow school districts to tap the wealth of talent and expertise represented in Florida's citizens who may wish to teach part-time in a Florida public school by permitting school districts to issue adjunct certificates to qualified applicants. Adjunct certificateholders should be used as a strategy to reduce the teacher shortage; thus, adjunct certificateholders should supplement a school's instructional staff, not supplant it. Each school principal shall assign an experienced peer mentor to assist the adjunct teaching certificateholder during the certificateholder's first year of teaching, and an adjunct certificateholder may participate in a district's new teacher training program. District school boards shall provide the adjunct teaching certificateholder an orientation in classroom management prior to assigning the certificateholder to a school. Each adjunct teaching certificate is valid for 5 school years and is renewable if the applicant has received satisfactory performance evaluations during each year of teaching under adjunct teaching certification.

Section 27. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of *s. 1012.56(5)(a)* ~~s. 1012.56(4)(a)~~ or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 28. Effective upon this act becoming a law, section 1012.71, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 1012.71, F.S., for present text.)

1012.71 The Florida Teachers Lead Program.—

(1) For purposes of the Florida Teachers Lead Program, the term "classroom teacher" means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and guidance counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A "job-share" classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher.

(2) The Legislature, in the General Appropriations Act, shall determine funding for the Florida Teachers Lead Program. The funds appropriated are for classroom teachers to purchase, on behalf of the school district or charter school, classroom materials and supplies for the public school students assigned to them and may not be used to purchase equipment. The funds appropriated shall be used to supplement the materials and supplies otherwise available to classroom teachers. From the funds appropriated for the Florida Teachers Lead Program, the Commissioner of Education shall calculate an amount for each school district based upon each school district's proportionate share of the state's total unweighted FTE student enrollment and shall disburse the funds to the school districts by July 15.

(3) From the funds allocated to each school district for the Florida Teachers Lead Program, the district school board shall calculate an identical amount for each classroom teacher, which is that teacher's proportionate share of the total amount allocated to the district. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The district school board and each charter school board shall provide each classroom teacher with his or her total proportionate share by September 30 of each year by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card, notwithstanding any law to the contrary. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause. This subsection shall apply retroactively to July 1, 2007.

(4) Each classroom teacher must sign a statement acknowledging receipt of the funds, keep receipts for no less than 4 years to show that

funds expended meet the requirements of this section, and return any unused funds to the district school board at the end of the regular school year. Any unused funds that are returned to the district school board shall be deposited into the school advisory council account of the school at which the classroom teacher returning the funds was employed when that teacher received the funds or deposited into the Florida Teachers Lead Program account of the school district in which a charter school is sponsored, as applicable.

(5) The statement must be signed and dated by each classroom teacher before receipt of the Florida Teachers Lead Program funds and shall include the wording: "I, (name of teacher), am employed by the County District School Board or by the Charter School as a full-time classroom teacher. I acknowledge that Florida Teachers Lead Program funds are appropriated by the Legislature for the sole purpose of purchasing classroom materials and supplies to be used in the instruction of students assigned to me. In accepting custody of these funds, I agree to keep the receipts for all expenditures for no less than 4 years. I understand that if I do not keep the receipts, it will be my personal responsibility to pay any federal taxes due on these funds. I also agree to return any unexpended funds to the district school board at the end of the regular school year for deposit into the school advisory council account of the school where I was employed at the time I received the funds or for deposit into the Florida Teachers Lead Program account of the school district in which the charter school is sponsored, as applicable."

Section 29. Paragraphs (b) and (c) of subsection (2) of section 1013.12, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, and a new paragraph (b) is added to that subsection to read:

1013.12 Casualty, safety, sanitation, and firesafety standards and inspection of property.—

(2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL BOARDS.—

(b) Each school cafeteria must post in a visible location and on the school website the school's semiannual sanitation certificate and a copy of its most recent sanitation inspection report.

Section 30. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to education; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Next Generation Sunshine State Standards; providing requirements for the content and organization of the standards; requiring that the standards establish core curricular content in specified areas for certain grades or grade clusters; requiring that the state board establish schedules for the adoption and revision of the Next Generation Sunshine State Standards; requiring that the state board adopt the standards by a specified date; requiring the Commissioner of Education to provide proposed Next Generation Sunshine State Standards or proposed revisions of such standards to the state board; providing requirements for the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by certain experts; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 220.187, F.S.; revising requirements for the selection of norm-referenced tests administered by private schools for purposes of the Corporate Income Tax Credit Scholarship Program; amending s. 1000.21, F.S.; providing and revising definitions; providing for application of the Sunshine State Standards pending adoption of the Next Generation Sunshine State Standards; amending s. 1001.03, F.S.; requiring the State Board of Education to periodically review and revise state curriculum standards; eliminating provisions requiring that the state board report proposed revisions to the Governor and the Legislature; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.413, F.S.; requiring policies of each district school board to address an annual review of student education plans; amending s. 1003.428, F.S.; revising courses that are acceptable for high school graduation; conforming provisions and a cross-reference; creating s. 1003.4285, F.S.; providing for high school diploma designations; amending ss. 1003.429, 1003.43, and 1003.433, F.S.; conforming provisions and cross-references; amending s. 1003.63, F.S.; revising the type of assessment tests reported to the Governor and the Legislature relating to the deregulated public schools pilot program; amending s. 1004.85, F.S.; conforming cross-references; amending s. 1004.91, F.S.; providing an exemption relating to career-preparatory instruction; amending s. 1004.99, F.S.; providing designations of Florida Ready to Work credentials; amending s. 1007.21, F.S., relating to postsecondary placement tests for high school students; authorizing the common placement test to be administered to high school students meeting certain criteria; amending s. 1007.235, F.S.; requiring district interinstitutional articulation agreements to include responsibility for assignment of grades for dual enrollment courses; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to administer end-of-course assessments; providing requirements for comprehensive assessments and end-of-course assessments; authorizing the commissioner to select a nationally developed comprehensive examination for use as an end-of-course assessment; revising the design of the testing program; authorizing the commissioner to collaborate with the American Diploma Project to develop end-of-course assessments; deleting requirements for norm-referenced tests; revising assessments of writing; requiring the commissioner to establish schedules for the administration of statewide assessments and the reporting of student test results; providing requirements for the testing and reporting schedules; requiring district school boards to prohibit public schools from suspending a program of curricula for the administration of practice tests or certain test-preparation activities; authorizing a district school board to permit a school to engage in certain test-preparation activities; requiring public schools to comply with statewide assessment and reporting schedules; revising the applicability of testing standards under certain conditions; establishing requirements for calculating student scores on revised statewide assessments; authorizing the commissioner to discontinue administration of an outdated assessment under certain circumstances; requiring the state board to adopt rules establishing passing scores on revised assessments required for a standard high school diploma; clarifying determination of concordant scores for the FCAT; revising the requirements contained in the annual report by the department to the Governor and the Legislature; amending s. 1008.30, F.S.; revising provisions relating to administration and use of the results of the common placement test; requiring the State Board of Education to adopt rules requiring high school evaluation of student college readiness and establishing minimum test scores for such readiness; authorizing the purchase or development of assessments; providing for remedial instruction; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1008.34, F.S.; revising the exceptions for a school to receive a school grade; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; revising the student assessment data used in determining school grades; requiring a school district that fails to assign FCAT scores to students' schools to forfeit Florida School Recognition Program funds for a specified time; requiring the collaboration between a home school and alternative school to be between the principals of each school in order to promote student success; authorizing the state board to adopt rules; amending s. 1008.341, F.S.; revising provisions for a school improvement rating for an alternative school; authorizing the state board to adopt rules; amending s. 1008.345, F.S.; conforming provisions; amending s. 1008.36, F.S.; revising criteria for financial awards under the Florida School Recognition Program; amending s. 1012.56, F.S.; requiring teacher certification examinations to be aligned to the Next Generation Sunshine State Standards; revising provisions relating to the means for demonstrating mastery of subject area knowledge; specifying world languages for which subject area examinations may be required by State Board of Education rule; authorizing degree completion and attainment of foreign language proficiency on specified national tests; amending ss. 1012.57 and 1012.586, F.S.; conforming cross-reference; amending s. 1012.71, F.S., relating to the Florida Teachers

Lead Program; revising requirements for use of program funds by classroom teachers; providing for disbursement of funds to school districts; specifying means for providing a classroom teacher with his or her proportionate share of program funds and providing that funds received are not subject to collective bargaining; providing for retroactive effect; providing requirements for accounting of expenditures; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing effective dates.

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

CS for SB 1908 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—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2222, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2222—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; amending s. 601.15, F.S.; revising the deadline by which the Florida Citrus Commission sets the annual citrus excise tax rate; deleting a provision requiring the commission to consider certain projected collection of taxes in setting the rate; conforming provisions relating to the season upon which the tax rate applies; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

House Amendment 1 (042301)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (5) is added to section 581.091, Florida Statutes, to read:

581.091 Noxious weeds and infected plants or regulated articles; sale or distribution; receipt; information to department; withholding information.—

(5)(a) Notwithstanding any other provision of state law or rule, a person may obtain a special permit from the department to plant Casuarina cunninghamiana as a windbreak for a commercial citrus grove provided the plants are produced in an authorized registered nursery and certified by the department as being vegetatively propagated from male plants. A "commercial citrus grove" means a contiguous planting of 100 or more citrus trees where citrus fruit is produced for sale.

(b) For a 5-year period, special permits authorizing a person to plant Casuarina cunninghamiana shall be issued only as part of a pilot program for fresh fruit groves in areas of Indian River, St. Lucie, and Martin Counties where citrus canker is determined by the department to be widespread. The pilot program shall be reevaluated annually and a comprehensive review shall be conducted in 2013. The purpose of the annual and 5-year reviews is to determine if the use of Casuarina cunninghamiana as an agricultural pest and disease windbreak poses any adverse environmental consequences. At the end of the 5-year pilot program, if the Noxious Weed and Invasive Plant Review Committee, created by the department, and the Department of Environmental Protection, in consultation with a representative of the citrus industry who has a Casuarina cunninghamiana windbreak, determine that the potential is low for adverse environmental impacts from planting Casuarina cunninghamiana as windbreaks, the department may, by rule, allow the use of Casuarina cunninghamiana windbreaks for commercial citrus groves in other areas of the state. If it is determined at the end of the 5-year pilot program that additional time is needed to further evaluate Casuarina cunninghamiana, the department will remain the lead agency.

(c) Each application for a special permit shall be accompanied by a fee in an amount determined by the department, by rule, not to exceed $500. A special permit shall be required for each noncontiguous commercial citrus grove and shall be renewed every 5 years. The property owner is responsible for maintaining and producing for inspection the original nursery invoice with certification documentation. If ownership of the property is transferred, the seller must notify the department and provide the buyer with a copy of the special permit and copies of all invoices and certification documentation prior to the closing of the sale.

(d) Each application shall include a baseline survey of all lands within 500 feet of the proposed Casuarina cunninghamiana windbreak showing the location and identification to species of all existing Casuarina spp.

(e) Nurseries authorized to produce Casuarina cunninghamiana must obtain a special permit from the department certifying that the plants have been vegetatively propagated from sexually mature male source trees currently grown in the state. The importation of Casuarina cunninghamiana from any area outside the state to be used as a propagation source tree is prohibited. Each male source tree must be registered by the department as being a horticulturally true to type male plant and be labeled with a source tree registration number. Each nursery application for a special permit shall be accompanied by a fee in an amount determined by the department, by rule, not to exceed $200. Special permits shall be renewed annually. The department shall, by rule, set the amount of an annual fee, not to exceed $50, for each Casuarina cunninghamiana registered as a source tree. Nurseries may only sell Casuarina cunninghamiana to a person with a special permit as specified in paragraphs (a) and (b). The source tree registration numbers of the parent plants must be documented on each invoice or other certification documentation provided to the buyer.

(f) All Casuarina cunninghamiana must be destroyed by the property owner within 6 months after:

1. The property owner takes permanent action to no longer use the site for commercial citrus production;

2. The site has not been used for commercial citrus production for a period of 5 years; or

3. The department determines that the Casuarina cunninghamiana on the site has become invasive. This determination shall be based on, but not limited to, the recommendation of the Noxious Weed and Invasive Plant Review Committee and the Department of Environmental Protection and in consultation with a representative of the citrus industry who has a Casuarina cunninghamiana windbreak.

If the owner or person in charge refuses or neglects to comply, the director or her or his authorized representative may, under authority of the department, proceed to destroy the plants. The expense of the destruction shall be assessed, collected, and enforced against the owner by the department. If the owner does not pay the assessed cost, the department may record a lien against the property.

(g) The use of Casuarina cunninghamiana for windbreaks shall not preclude the department from issuing permits for the research or release of biological control agents to control Casuarina spp. in accordance with s. 581.083.

(h) The use of Casuarina cunninghamiana for windbreaks shall not restrict or interfere with any other agency or local government effort to

manage or control noxious weeds or invasive plants, including Casuarina cunninghamiana, nor shall any other agency or local government remove any Casuarina cunninghamiana planted as a windbreak under special permit issued by the department.

(i) The department shall develop and implement a monitoring protocol to determine invasiveness of Casuarina cunninghamiana. The monitoring protocol shall at a minimum, require:

1. Inspection of the planting site by department inspectors within 30 days following initial planting or any subsequent planting of Casuarina cunninghamiana to ensure the criteria of the special permit have been met.

2. Annual site inspections of planting sites and all lands within 500 feet of the planted windbreak by department inspectors who have been trained to identify Casuarina spp. and to make determinations of whether Casuarina cunninghamiana has spread beyond the permitted windbreak location.

3. Any new seedlings found within 500 feet of the planted windbreak to be removed, identified to the species level, and evaluated to determine if hybridization has occurred.

4. The department to submit an annual report and a final 5-year evaluation identifying any adverse effects resulting from the planting of Casuarina cunninghamiana for windbreaks and documenting all inspections and the results of those inspections to the Noxious Weed and Invasive Plant Review Committee, the Department of Environmental Protection, and a designated representative of the citrus industry who has a Casuarina cunninghamiana windbreak.

(j) If the department determines that female flowers or cones have been produced on any Casuarina cunninghamiana that have been planted under a special permit issued by the department, the property owner shall be responsible for destroying the trees. The department shall notify the property owner of the timeframe and method of destruction.

(k) If at any time the department determines that hybridization has occurred during the pilot program between Casuarina cunninghamiana planted as a windbreak and other Casuarina spp., the department shall expeditiously initiate research to determine the invasiveness of the hybrid. The information obtained from this research shall be evaluated by the Noxious Weed and Invasive Plant Review Committee, the Department of Environmental Protection, and a designated representative of the citrus industry who has a Casuarina cunninghamiana windbreak. If the department determines that the hybrids have a high potential to become invasive, based on, but not limited to, the recommendation of the Noxious Weed and Invasive Plant Review Committee, the Department of Environmental Protection, and a designated representative of the citrus industry who has a Casuarina cunninghamiana windbreak, this pilot program shall be permanently suspended.

(l) Each application for a special permit must be accompanied by a fee as described in paragraph (c) and an agreement that the property owner will abide by all permit conditions including the removal of Casuarina cunninghamiana if invasive populations or other adverse environmental factors are determined to be present by the department as a result of the use of Casuarina cunninghamiana as windbreaks. The application must include, on a form provided by the department, the name of the applicant and the applicant's address or the address of the applicant's principal place of business; a statement of the estimated cost of removing and destroying the Casuarina cunninghamiana that is the subject of the special permit; and the basis for calculating or determining that estimate. If the applicant is a corporation, partnership, or other business entity, the applicant must also provide in the application the name and address of each officer, partner, or managing agent. The applicant shall notify the department within 30 business days of any change of address or change in the principal place of business. The department shall mail all notices to the applicant's last known address.

1. Upon obtaining a permit, the permitholder must annually maintain the Casuarina cunninghamiana authorized by a special permit as required in the permit. If the permitholder ceases to maintain the Casuarina cunninghamiana as required by the special permit, if the permit expires, or if the permitholder ceases to abide by the conditions of the special permit, the permitholder shall remove and destroy the Casuarina cunninghamiana in a timely manner as specified in the permit.

2. If the department:

a. Determines that the permitholder is no longer maintaining the Casuarina cunninghamiana subject to the special permit and has not removed and destroyed the Casuarina cunninghamiana authorized by the special permit;

b. Determines that the continued use of Casuarina cunninghamiana as windbreaks presents an imminent danger to public health, safety, or welfare; or

c. Determines that the permitholder has exceeded the conditions of the authorized special permit;

The department may issue an immediate final order, which shall be immediately appealable or enjoinable as provided by chapter 120, directing the permitholder to immediately remove and destroy the Casuarina cunninghamiana authorized to be planted under the special permit. A copy of the immediate final order shall be mailed to the permitholder.

3. If, upon issuance by the department of an immediate final order to the permitholder, the permitholder fails to remove and destroy the Casuarina cunninghamiana subject to the special permit within 60 days after issuance of the order, or such shorter period as is designated in the order as public health, safety, or welfare requires, the department may remove and destroy the Casuarina cunninghamiana that are the subject of the special permit. If the permitholder makes a written request to the department for an extension of time to remove and destroy the Casuarina cunninghamiana that demonstrates specific facts showing why the Casuarina cunninghamiana could not reasonably be removed and destroyed in the applicable timeframe, the department may extend the time for removing and destroying Casuarina cunninghamiana subject to a special permit. The reasonable costs and expenses incurred by the department for removing and destroying Casuarina cunninghamiana subject to a special permit shall be paid out of the Citrus Inspection Trust Fund and shall be reimbursed by the party to which the immediate final order is issued. If the party to which the immediate final order has been issued fails to reimburse the state within 60 days, the department may record a lien on the property. The lien shall be enforced by the department.

4. In order to carry out the purposes of this paragraph, the department or its agents may require a permitholder to provide verified statements of the planted acreage subject to the special permit and may review the permitholder's business or planting records at her or his place of business during normal business hours in order to determine the acreage planted. The failure of a permitholder to furnish such statement or to make such records available is cause for suspension of the special permit. If the department finds such failure to be willful, the special permit may be revoked.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to citrus; amending s. 581.091, F.S.; providing conditions for use of Casuarina cunninghamiana as a windbreak for commercial citrus groves; defining the term "commercial citrus grove"; providing for permitting and permit fees; providing for destruction of Casuarina cunninghamiana; specifying responsibility and liability for removal and destruction of such trees; providing that use as a windbreak does not preclude research or release of agents to control Casuarina spp.; providing that the use of Casuarina cunninghamiana for windbreaks does not interfere with or restrict efforts to manage or control noxious weeds or invasive plants; prohibiting any other agency or local government from removing Casuarina cunninghamiana planted as a windbreak under special permit; providing an effective date.

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

CS for SB 2222 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Aronberg	Baker
Alexander	Atwater	Bennett

Bullard	Garcia	Peaden
Carlton	Geller	Posey
Constantine	Haridopolos	Rich
Crist	Hill	Ring
Dawson	Jones	Saunders
Dean	Joyner	Siplin
Deutch	Justice	Storms
Diaz de la Portilla	King	Villalobos
Dockery	Lawson	Webster
Fasano	Lynn	Wilson
Gaetz	Margolis	Wise

Nays—None

Vote after roll call:

Yea—Oelrich

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 739 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

House Amendment 1 (358051) to Senate Amendment 1 (939538)—Remove lines 77-98 and insert:

744, a health care surrogate designated pursuant to an advance directive under chapter 765, an agent under a durable power of attorney, and such other persons as the court may direct. *A copy of* the petition to appoint a guardian advocate *must* ~~shall~~ be served with the notice.

(b)~~2.~~ The notice *must* ~~shall~~ state that a hearing *will be held* ~~shall be set~~ to inquire into the capacity of the person with *a* developmental *disability* ~~disabilities~~ to exercise the rights enumerated in the petition. The notice *must* ~~shall~~ also state the date of the hearing on the petition.

(c)~~3.~~ The notice shall state that the *person with a developmental disability* ~~individual with developmental disabilities~~ has the right to be represented by counsel of his or her own choice and ~~that if the individual cannot afford an attorney,~~ the court shall *initially* appoint *counsel* ~~one~~ .

(5)~~(d)~~ COUNSEL.—*Within 3 days after a petition has been filed, the court shall appoint an attorney to represent a person with a developmental disability who is the subject of a petition to appoint a guardian advocate. The person with a developmental disability may substitute his or her own attorney for the attorney appointed by the court.*

(a) The court shall initially appoint a private attorney who shall be selected from the attorney registry compiled pursuant to s. 27.40. Such attorney must

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

HB 739 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Aronberg	Dockery	Lynn
Atwater	Fasano	Margolis
Baker	Gaetz	Oelrich
Bennett	Garcia	Peaden
Bullard	Geller	Posey
Carlton	Haridopolos	Rich
Constantine	Hill	Ring
Crist	Jones	Saunders
Dawson	Joyner	Siplin
Dean	Justice	Storms
Villalobos	Wilson	Wise
Webster		

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendments 1 and 2 to CS for HB 1059 and requests the Senate to recede.

William S. Pittman III, Chief Clerk

CS for HB 1059—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the exemption provided to nonprofit cooperative hospital laundries; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative under certain circumstances; providing that provision of certain supplies and services pursuant to a declaration of emergency and a written emergency plan of operation does not invalidate a certificate of exemption or cause such a certificate to be denied; providing an effective date.

On motion by Senator Rich, the Senate receded from Senate Amendments 1 and 2.

HB 1059 passed and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Aronberg	Garcia	Rich
Baker	Geller	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dawson	Lawson	Wilson
Dean	Margolis	Wise
Deutch	Oelrich	

Nays—4

Fasano	Haridopolos	Lynn
Gaetz		

Vote after roll call:

Yea—Atwater

RECESS

The Senate recessed at 3:42 p.m. to reconvene upon call of the President.

CALL TO ORDER

The Senate was called to order by the President at 4:59 p.m. A quorum present.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1906, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of

Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

House Amendment 1 (201987)(with title amendment)—Between lines 161 and 162, insert:

Section 3. Section 1003.215, Florida Statutes, is created to read:

1003.215 Student Preparedness Pilot Program.—

(1) The Legislature finds it to be in the public interest that all students exit from the public schools with academic skills that provide the students with the opportunity to pursue postsecondary education or with skills that lead to ready to work certification, industry certification, or skill licensure.

(2)(a) Beginning with the 2008-2009 school year, and continuing through the 2014-2015 school year, there is created the Student Preparedness Pilot Program to be piloted by school districts. Students in a school district selected to implement the pilot program pursuant to subsection (3) who attain the age of 16 years but have not reached the age of 18 years and who choose to exercise their option not to regularly attend school pursuant to s. 1003.21(1)(c) shall be subject to the attendance and completion requirements of this section.

(b) In the 2008-2009 school year, each school district selected pursuant to subsection (3) shall use its current level of funding to review, identify, and develop curricula options for the implementation of the pilot program requirements pursuant to paragraph (5)(a) for students who attain the age of 16 years but have not reached the age of 18 years whose academic goals may not include a traditional high school diploma. These options shall include, but are not limited to, nontraditional academic options and flexible attendance options and may include a phase-in of students by age or grade. Each selected school district must develop a plan to meet the student's needs and the attendance and completion requirements of this section prior to implementation of the pilot program in the 2009-2010 school year.

(3) The Department of Education shall develop an application process for all school districts to apply to participate in the pilot program. The State Board of Education shall select the pilot program districts, one of which shall be the Duval County School District.

(4) Parents of public school students enrolled in a participating pilot program district must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school.

(5)(a) A student in a participating pilot program district who attains the age of 16 years but has not reached the age of 18 years has the right to file a formal declaration of intent to terminate school enrollment if the declaration is signed by the parent. The parent has the right to be notified by the school district of the district's receipt of the student's declaration of intent to terminate school enrollment. The student's guidance counselor or other school personnel must conduct an exit interview pursuant to s. 1003.21(1)(c). Any student in a participating pilot program district who files a declaration seeking to terminate school enrollment but has not reached the age of 18 years shall be required, until completion or attainment of the age of 18 years, to continue pursuing credits toward a high school diploma, pursue a high school equivalency diploma with participation in the Florida Ready to Work Certification Program under s. 1004.99, participate in a career or job training program leading to industry certification or skill licensure that is developed by or in cooperation with the district school board, or participate in the Florida Ready to Work Certification Program under s. 1004.99.

(b) A Student Preparedness Pilot Program student subject to the attendance and completion requirements of this section is not an "eligible student" for purposes of school grading under s. 1008.34(3)(b) if the student has selected a nontraditional academic option of the pilot program.

(6) Students who become or have become married or who are pregnant and parenting have the right to attend school and receive the same or equivalent educational instruction as other students.

(7) The Office of Program Policy Analysis and Government Accountability (OPPAGA), in cooperation with the participating pilot program districts, the applicable state attorneys' offices and regional workforce boards, the Agency for Workforce Innovation, the Department of Education, and the Department of Juvenile Justice, shall conduct a study annually of the impact of the pilot program on dropout and graduation rates, on the employability of students, and on juvenile crime, using 2007-2008 data as the baseline for the research. OPPAGA shall develop criteria for collection and reporting of data with input from the cooperating entities. The results of each annual report shall be made available to participating pilot program districts, the applicable state attorneys' offices and regional workforce boards, the Agency for Workforce Education, the Department of Education, the Department of Juvenile Justice, the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1 following each school year, beginning January 1, 2012.

Section 4. Subsections (8) and (13) of section 1003.01, Florida Statutes, are amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(8) "Habitual truant" means a student who*:* has 15 unexcused absences within 90 calendar days with or without the knowledge or consent of the student's parent*;*~~,~~ is subject to compulsory school attendance under s. 1003.21(1) and (2)(a) *or is subject to the Student Preparedness Pilot Program under s. 1003.215;*~~,~~ and is not exempt under s. 1003.21(3)*,* ~~or~~ s. 1003.24, or ~~by meeting the criteria for~~ any other exemption specified by law or rules of the State Board of Education. Such a student must have been the subject of the activities specified in ss. 1003.26 and 1003.27(3), without resultant successful remediation of the truancy problem before being dealt with as a child in need of services according to the provisions of chapter 984.

(13)*(a)* "Regular school attendance" means the actual attendance of a student during the school day as defined by law and rules of the State Board of Education. Regular attendance within the intent of s. 1003.21 may be achieved by attendance in:

1.~~(a)~~ A public school supported by public funds;

2.~~(b)~~ A parochial, religious, or denominational school;

3.~~(c)~~ A private school supported in whole or in part by tuition charges or by endowments or gifts;

4.~~(d)~~ A home education program that meets the requirements of chapter 1002; or

5.~~(e)~~ A private tutoring program that meets the requirements of chapter 1002.

(b) "Regular program attendance" for a student in the Student Preparedness Pilot Program under s. 1003.215 means actual attendance by the student in traditional or nontraditional academic options as defined by law and rules of the State Board of Education. The district school superintendent shall be responsible for enforcing such attendance.

Section 5. Paragraph (c) of subsection (1) of section 1003.21, Florida Statutes, is amended to read:

1003.21 School attendance.—

(1)

(c) A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board.

Public school students who have attained the age of 16 years and who have not graduated are subject to compulsory school attendance until the formal declaration of intent is filed with the district school board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the student and the student's parent. The school district must notify the student's parent of receipt of the student's declaration of intent to terminate school enrollment. The student's guidance counselor or other school personnel must conduct an exit interview with the student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to keep the student in school. The student must be informed of opportunities to continue his or her education in a different environment, including, but not limited to, adult education and GED test preparation. Additionally, the student must complete a survey in a format prescribed by the Department of Education to provide data on student reasons for terminating enrollment and actions taken by schools to keep students enrolled. *A student enrolled in a Student Preparedness Pilot Program school district must receive information regarding the program's attendance and completion requirements under s. 1003.215.*

Section 6. Paragraph (f) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b). The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. 1003.01(13)(a)*1., 2., 3., or 5.*~~, (b), (c), or (e),~~ within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(b).

Section 7. Paragraph (d) of subsection (3) of section 1004.99, Florida Statutes, is amended, subsection (4) is renumbered as subsection (5), and a new subsection (4) is added to that section, to read:

1004.99 Florida Ready to Work Certification Program.—

(3) The Florida Ready to Work Certification Program shall be composed of:

(d) A *Florida Ready to Work Credential* ~~certificate~~ and portfolio awarded to students upon successful completion of the instruction. Each portfolio must delineate the skills demonstrated by the student as evidence of the student's preparation for employment.

(4) A Florida Ready to Work Credential shall be awarded to a student who successfully passes assessments in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of comparable rigor. Each assessment shall be scored on a scale of 3 to 7. The level of the credential each student receives is based on the following:

(a) A bronze-level credential requires a minimum score of 3 or above on each of the assessments.

(b) A silver-level credential requires a minimum score of 4 or above on each of the assessments.

(c) A gold-level credential requires a minimum score of 5 or above on each of the assessments.

Section 8. Paragraph (b) of subsection (2) of section 1003.428, Florida Statutes, is amended to read:

1003.428 General requirements for high school graduation; revised.—

(2) The 24 credits may be earned through applied, integrated, and combined courses approved by the Department of Education and shall be distributed as follows:

(b) Eight credits in majors, minors, or electives:

1. Four credits in a major area of interest, such as sequential courses in a career and technical program, fine and performing arts, or academic content area, selected by the student as part of the education plan required by s. 1003.4156. Students may revise major areas of interest each year as part of annual course registration processes and should update their education plan to reflect such revisions. Annually by October 1, the district school board shall approve major areas of interest and submit the list of majors to the Commissioner of Education for approval. Each major area of interest shall be deemed approved unless specifically rejected by the commissioner within 60 days. Upon approval, each district's major areas of interest shall be available for use by all school districts and shall be posted on the department's website. *Beginning with students entering grade 9 in the 2008-2009 school year, a student must earn a Florida Ready to Work Credential as created under s. 1004.99 in order to graduate with a career or technical major area of interest.*

2. Four credits in elective courses selected by the student as part of the education plan required by s. 1003.4156. These credits may be combined to allow for a second major area of interest pursuant to subparagraph 1., a minor area of interest, elective courses, or intensive reading or mathematics intervention courses as described in this subparagraph.

a. Minor areas of interest are composed of three credits selected by the student as part of the education plan required by s. 1003.4156 and approved by the district school board.

b. Elective courses are selected by the student in order to pursue a complete education program as described in s. 1001.41(3) and to meet eligibility requirements for scholarships.

c. For each year in which a student scores at Level l on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(8).

d. For each year in which a student scores at Level 1 or Level 2 on FCAT Mathematics, the student must receive remediation the following year. These courses may be taught through applied, integrated, or combined courses and are subject to approval by the department for inclusion in the Course Code Directory.

Section 9. Subsection (1) of section 1009.536, Florida Statutes, is 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.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Completes the secondary school portion of a sequential program of studies that requires at least three secondary school career credits taken over at least 2 academic years, and is continued in a planned, related postsecondary education program. If the student's school does not offer such a two-plus-two or tech-prep program, the student must complete a job-preparatory career education program selected by Workforce Florida, Inc., for its ability to provide high-wage employment in an occupation with high potential for employment opportunities. On-the-job training may not be substituted for any of the three required career credits.

(b) Demonstrates readiness for postsecondary education by earning a passing score on the Florida College Entry Level Placement Test or its equivalent as identified by the Department of Education.

(c) Earns a minimum cumulative weighted grade point average of 3.0, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses.

(d) Earns a minimum unweighted grade point average of 3.5 on a 4.0 scale for secondary career courses comprising the career program.

(e) Beginning with students entering grade 9 in the 2008-2009 school year, earns a gold-level Florida Ready to Work Credential as created under s. 1004.99.

Section 10. Paragraph (j) is added to subsection (5) of section 445.004, Florida Statutes, to read:

445.004 Workforce Florida, Inc.; creation; purpose; membership; duties and powers.—

(5) Workforce Florida, Inc., shall have all the powers and authority, not explicitly prohibited by statute, necessary or convenient to carry out and effectuate the purposes as determined by statute, Pub. L. No. 105-220, and the Governor, as well as its functions, duties, and responsibilities, including, but not limited to, the following:

(j) In partnership with the Department of Education, ensuring consistent use of the Florida Ready to Work Credential as created under s. 1004.99.

And the title is amended as follows:

Remove line(s) 2-24 and insert: An act relating to alternative high school courses and programs; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; creating s. 1003.215, F.S.; creating the Student Preparedness Pilot Program; requiring the Duval County School District and each selected school district to review and identify curricula options for certain students; requiring students who attain the age of 16 years but have not reached the age of 18 years in pilot program districts who do not regularly attend school to be subject to specific attendance and completion requirements; providing for an application and selection process for school district participation; specifying procedures for termination of school enrollment and requirements for pilot program attendance and completion; specifying that students who select a nontraditional academic option are not eligible students for purposes of school grading; requiring an annual study and reporting by the Office of Program Policy Analysis and Government Accountability; amending s. 1003.01, F.S.; providing that habitual truancy provisions apply to students subject to pilot program requirements; defining regular program attendance in a pilot program school district; amending s. 1003.21, F.S.; requiring a student in a pilot program school district to be informed of attendance and completion requirements; amending s. 1003.26, F.S.; conforming cross-references; amending s. 1004.99, F.S., relating to the Florida Ready to Work Program; providing requirements for attaining bronze, silver, and gold credential levels; amending s. 1003.428, F.S.; requiring a student to earn the credential for high school graduation with a career or technical major area of interest; amending s. 1009.536, F.S.; requiring a student to earn the credential for receipt of a Florida Gold Seal Vocational Scholars award; amending s. 445.004, F.S.; requiring Workforce Florida, Inc., and the Department of Education to ensure consistent use of the credential; providing an effective date.

Senator Deutch moved the following amendment which was adopted:

Senate Amendment 1 (262658) (with title amendment) to House Amendment 1—Delete line(s) 5-355 and insert:

Section 3. *(1) School districts are encouraged to enter into partnerships with local businesses for purposes of mentorship opportunities, the development of employment options and additional funding sources, and other mutual benefits.*

(2) As a pilot program through June 30, 2011, the Palm Beach County school district may recognize its business partners by publicly displaying such business partners' names on school district property in the unincorporated areas. "Project Graduation" and athletic sponsorships are examples of appropriate recognition. The district shall make every effort to display its business partners' names in a manner that is consistent with the county standards for uniformity in size, color, and placement of signs. If the provisions of this section are inconsistent with the county ordinances or regulations relating to signs in the unincorporated areas or inconsistent with chapter 125, chapter 166, or chapter 479, Florida Statutes, the provisions of this section prevail.

And the title is amended as follows:

Delete line(s) 380-411 and insert: the pilot project created under s. 1002.375, F.S.; encouraging school districts to enter into partnerships with local businesses for certain purposes; authorizing the Palm Beach County school district to recognize its business partners by displaying such business partners' names on school district property in unincorporated areas if displayed in a manner consistent with certain standards; providing an effective date.

On motion by Senator Gaetz, 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 1906 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 2654, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit limitation; providing for annual adjustments of the maximum benefit limitation; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing for application of the act; providing an effective date.

House Amendment 1 (711507) to Senate Amendment 1 to House Amendment 1—Remove lines 7-318 and insert:

Section 1. Subsection (7) of section 409.8132, Florida Statutes, is amended to read:

409.8132 Medikids program component.—

(7) ENROLLMENT.—Enrollment in the Medikids program component may occur at any time throughout the year. A child may not receive services under the Medikids program until the child is enrolled in a managed care plan or MediPass. Once determined eligible, an applicant may receive choice counseling and select a managed care plan or MediPass. The agency may initiate mandatory assignment for a Medikids applicant who has not chosen a managed care plan or MediPass provider after the applicant's voluntary choice period ends*; however, the agency shall ensure that family members are assigned to the same managed care plan or the same MediPass provider to the greatest extent possible, including situations in which some family members are enrolled in Medicaid and other family members are enrolled in a Title XXI-funded component of the Florida Kidcare program*. An applicant may select MediPass under the Medikids program component only in counties that have fewer than two managed care plans available to serve Medicaid recipients and only if the federal Health Care Financing Administration determines that MediPass constitutes "health insurance coverage" as defined in Title XXI of the Social Security Act.

Section 2. Subsection (2) of section 409.8134, Florida Statutes, is amended to read:

409.8134 Program expenditure ceiling.—

(2) The Florida Kidcare program may conduct enrollment at any time throughout the year for the purpose of enrolling children eligible for all program components listed in s. 409.813 except Medicaid. The four Florida Kidcare administrators shall work together to ensure that the year-round enrollment period is announced statewide. Eligible children shall be enrolled on a first-come, first-served basis using the date the enrollment application is received. Enrollment shall immediately cease when the expenditure ceiling is reached. Year-round enrollment shall only be held if the Social Services Estimating Conference determines that sufficient federal and state funds will be available to finance the increased enrollment ~~through federal fiscal year 2007~~. Any individual who is not enrolled must reapply by submitting a new application. The application for the Florida Kidcare program shall be valid for a period of 120 days after the date it was received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application shall be invalid and the applicant shall be notified of the action. The applicant may *reactivate* ~~resubmit~~ the application after notification of the action taken by the program. Except for the Medicaid program, whenever the Social Services Estimating Conference determines that there are presently, or will be by the end of the current fiscal year, insufficient funds to finance the current or projected enrollment in the Florida Kidcare program, all additional enrollment must cease and additional enrollment may not resume until sufficient funds are available to finance such enrollment.

Section 3. Paragraphs (c) and (f) of subsection (4) and subsections (5), (7), and (8) of section 409.814, Florida Statutes, are amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(c) A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the *90 days* ~~6 months~~ prior to the family's submitting an application for determination of eligibility under the program.

(f) A child who has had his or her coverage in an employer-sponsored *or private* health benefit plan voluntarily canceled in the last *90 days* ~~6 months~~, except those children who were on the waiting list prior to March 12, 2004*, or whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:*

1. The cost of participation in an employer-sponsored or private health benefit plan is greater than 5 percent of the family's income;

2. The parent lost a job that provided an employer-sponsored health benefit plan for children;

3. The parent with health benefits coverage for the child is deceased;

4. The employer of the parent canceled health benefits coverage for children;

5. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

6. The child has exhausted coverage under a COBRA continuation provision; or

7. A situation involving domestic violence led to the loss of coverage.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Medikids program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program *as provided in s. 624.91*, subject to the following provisions:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

~~(b) The agency is authorized to place limits on enrollment in Medikids by these children in order to avoid adverse selection. The number of children participating in Medikids whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Medikids program.~~

(b)~~(c)~~ The board of directors of the Florida Healthy Kids Corporation ~~is authorized to place limits on enrollment of these children in order to avoid adverse selection. In addition, the board~~ is authorized to offer a reduced benefit package to these children in order to limit program costs for such families. ~~The number of children participating in the Florida Healthy Kids program whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Florida Healthy Kids program.~~

(7) When determining or reviewing a child's eligibility under the Florida Kidcare program, the applicant shall be provided with reasonable notice of changes in eligibility which may affect enrollment in one or more of the program components. When a transition from one program component to another is authorized, there shall be cooperation between the program components*,* ~~and~~ the affected family *, the child's health insurance plan, and the child's health care providers to promote* ~~which promotes~~ continuity of health care coverage. *If a child is determined ineligible for Medicaid or Medikids, the agency, in coordination with the department, shall notify that child's Medicaid managed care plan or MediPass provider of such determination before the child's eligibility is scheduled to be terminated so that the Medicaid managed care plan or MediPass provider can assist the child's family in applying for Florida Kidcare program coverage.* Any authorized transfers must be managed within the program's overall appropriated or authorized levels of funding. Each component of the program shall establish a reserve to ensure that transfers between components will be accomplished within current year appropriations. These reserves shall be reviewed by each convening of the Social Services Estimating Conference to determine the adequacy of such reserves to meet actual experience.

(8) In determining the eligibility of a child *for the Florida Kidcare program*, an assets test is not required. *The information required under this section from each applicant shall be obtained electronically to the extent possible. If such information cannot be obtained electronically, the* ~~Each~~ applicant shall provide written documentation during the application process and the redetermination process, including, but not limited to, the following:

(a) Proof of family income, which must include a copy of the applicant's most recent federal income tax return. In the absence of a federal income tax return, an applicant may submit wages and earnings statements (pay stubs), W-2 forms, or other appropriate documents.

(b) A statement from all family members that:

1. Their employer does not sponsor a health benefit plan for employees; or

2. The potential enrollee is not covered by the employer-sponsored health benefit plan because the potential enrollee is not eligible for coverage, or, if the potential enrollee is eligible but not covered, a statement of the cost to enroll the potential enrollee in the employer-sponsored health benefit plan.

An individual who applies for coverage under the Florida Kidcare program and who pays the full cost of the premium is exempt from the requirements of this subsection.

Section 4. Paragraph (b) of subsection (1) of section 409.818, Florida Statutes, is amended to read:

409.818 Administration.—In order to implement ss. 409.810-409.820, the following agencies shall have the following duties:

(1) The Department of Children and Family Services shall:

(b) Establish and maintain the eligibility determination process under the program except as specified in subsection (5). The department shall directly, or through the services of a contracted third-party administrator, establish and maintain a process for determining eligibility of children for coverage under the program. The eligibility determination process must be used solely for determining eligibility of applicants for health benefits coverage under the program. The eligibility determination process must include an initial determination of eligibility for any coverage offered under the program, as well as a redetermination or reverification of eligibility each subsequent *12* ~~6~~ months. Effective January 1, 1999, a child who has not attained the age of 5 and who has been determined eligible for the Medicaid program is eligible for coverage for 12 months without a redetermination or reverification of eligibility. In conducting an eligibility determination, the department shall determine if the child has special health care needs. The department, in consultation with the Agency for Health Care Administration and the Florida Healthy Kids Corporation, shall develop procedures for redetermining eligibility which enable a family to easily update any change in circumstances which could affect eligibility. The department may accept changes in a family's status as reported to the department by the Florida Healthy Kids Corporation without requiring a new application from the family. Redetermination of a child's eligibility for Medicaid may not be linked to a child's eligibility determination for other programs.

Section 5. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(26) HOME AND COMMUNITY-BASED SERVICES for AUTISM SPECTRUM DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is authorized to seek federal approval through a Medicaid waiver or a state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years of age and under and have a diagnosed developmental disability as defined in s. 624.916. These services shall be provided for producing and maintaining improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior. Coverage for such services shall be limited to $36,000 annually and may not exceed $200,000 in total lifetime benefits. The agency shall submit an annual report beginning on January 1, 2009, to the President of the Senate, the Speaker of the House of Representatives, and the relevant committees of the Senate and the House of Representatives regarding progress on obtaining federal approval and recommendations for the implementation of these home and community-based services. The agency may not implement this subsection without prior legislative approval.

Section 6. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, are amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida *Kidcare program* ~~Healthy Kids Corporation~~ , the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program. *Health care and dental health plans participating in the program may develop and distribute marketing and other promotional materials and participate in activities, such as health fairs and public events, as approved by the corporation. Health care and dental health plans may also contact their current and former enrollees to encourage continued participation in the program and assist the enrollee in transferring from a Title XIX-funded plan to a Title XXI-funded plan.*

13. Establish an assignment process for Florida Healthy Kids program enrollees to ensure that family members are assigned to the same managed care plan to the greatest extent possible, including situations in which some family members are enrolled in a Medicaid managed care plan and other family members are enrolled in a Florida Healthy Kids plan. The Agency for Health Care Administration shall consult with the corporation to implement this subparagraph.

14.~~13.~~ Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

15.~~14.~~ Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

16.~~15.~~ Establish benefit packages which conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.820.

Section 7. Section 624.916, Florida Statutes, is created to read:

624.916 Developmental disabilities compact.—

(1) This section may be cited as the "Window of Opportunity Act."

(2) The Office of Insurance Regulation shall convene a workgroup by August 31, 2008, for the purpose of negotiating a compact that includes a binding agreement among the participants relating to insurance and access to services for persons with developmental disabilities. The workgroup shall consist of the following:

(a) Representatives of all health insurers licensed under this chapter.

(b) Representatives of all health maintenance organizations licensed under part I of chapter 641.

(c) Representatives of employers with self-insured health benefit plans.

(d) Two designees of the Governor, one of whom must be a consumer advocate.

(e) A designee of the President of the Senate.

(f) A designee of the Speaker of the House of Representatives.

(3) The Office of Insurance Regulation shall convene a consumer advisory workgroup for the purpose of providing a forum for comment on the compact negotiated in subsection (2). The office shall convene the workgroup prior to finalization of the compact.

(4) The agreement shall include the following components:

(a) A requirement that each signatory to the agreement increase coverage for behavior analysis and behavior assistant services and speech therapy, physical therapy, and occupational therapy due to the presence of a developmental disability for producing and maintaining improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage is provided for behavior analysis and behavior assistant services and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability.

(c) Penalties for documented cases of denial of claims for medically necessary services due to the presence of a developmental disability.

(d) Proposals for new product lines that may be offered in conjunction with traditional health insurance and provide a more appropriate means of spreading risk, financing costs, and accessing favorable prices.

(5) Upon completion of the negotiations for the compact, the office shall report the results to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(6) Beginning February 15, 2009, and continuing annually thereafter, the Office of Insurance Regulation shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the agreement negotiated under this section. The report shall include:

(a) The signatories to the agreement.

(b) An analysis of the coverage provided under the agreement in comparison to the coverage required under ss. 627.6686 and 641.31098.

(c) An analysis of the compliance with the agreement by the signatories, including documented cases of claims denied in violation of the agreement.

(7) The Office of Insurance Regulation shall continue to monitor participation, compliance, and effectiveness of the agreement and report its findings at least annually.

(8) As used in this section, the term "developmental disabilities" includes:

(a) The term as defined in s. 393.063;

(b) Down syndrome, a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21; and

(c) Autism spectrum disorder means any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder.

2. Asperger's syndrome.

3. Pervasive developmental disorder not otherwise specified.

Section 8. Section 627.6686, Florida Statutes, is created to read:

627.6686 Coverage for individuals with developmental disabilities required; exception.—

(1) This section and section 641.31098, may be cited as the "Steven A. Geller Developmental Disabilities Coverage Act."

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

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Developmental disabilities" means the term as defined in s. 624.916.

(c) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(d) "Health insurance plan" means a group health insurance policy or group health benefit plan offered by an insurer which includes the state group insurance program provided under s. 110.123. The term does not include any health insurance plan offered in the individual market, any health insurance plan that is individually underwritten, or any health insurance plan provided to a small employer.

(e) "Insurer" means an insurer providing health insurance coverage, which is licensed to engage in the business of insurance in this state and is subject to insurance regulation.

(3) A health insurance plan issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability .

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and applied behavior analysis to produce and maintain improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the insured's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total lifetime benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to other general exclusions and limitations of the insurer's policy or plan, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the health insurance plan, except as otherwise provided in subsection (4).

(6) An insurer may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include all elements necessary for the health insurance plan to appropriately pay claims. These elements include, but are not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(8) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(9) This section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan.

(10) The Office of Insurance Regulation may not enforce this section against an insurer that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against an insurer that is a signatory to the compact established under s. 624.916 if the insurer has not complied with the terms of the compact for all health insurance plans by April 1, 2010.

Section 9. Section 641.31098, Florida Statutes, is created to read:

641.31098 Coverage for individuals with developmental disabilities.—

(1) This section and section 627.6686, may be cited as the "Steven A. Geller Developmental Disabilities Coverage Act."

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

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Developmental disabilities" means the term as defined in s. 624.916.

(c) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(d) "Health maintenance contract" means a group health maintenance contract offered by a health maintenance organization. This term does not include a health maintenance contract offered in the individual market, a health maintenance contract that is individually underwritten, or a health maintenance contract provided to a small employer.

(3) A health maintenance contract issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability .

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and applied behavior analysis services to produce and maintain improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the subscriber's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to general exclusions and limitations of the subscriber's contract, including, but not limited to, coordination of benefits, participating provider requirements, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to a subscriber than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the subscriber's contract, except as otherwise provided in subsection (4).

(6) A health maintenance organization may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual solely because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include, but is not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(8) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(9) The Office of Insurance Regulation may not enforce this section against a health maintenance organization that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against a health maintenance organization that is a signatory to the compact established under s. 624.916 if the health maintenance organization has not complied with the terms of the compact for all health maintenance contracts by April 1, 2010.

Section 5. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove lines 325-374 and insert: amending s. 409.8132, F.S.; revising provisions relating to enrollment in the Medikids program component of Florida Kidcare; providing for the Agency for Health Care Administration to assign family members to the same managed care plan or Medicaid provider, under certain circumstances; amending s. 409.8134, F.S.; providing limitations on year-round enrollment for premium assistance; amending s. 409.814, F.S.; revising conditions for eligibility for premium assistance for the Florida Kidcare Program; providing limitations on enrollment in the Medikids program after January 1, 2009; providing for enrollment of new applicants in the Florida Healthy Kids program; revising duties of the board of directors of the Florida Healthy Kids Corporation regarding enrollment limitations; providing for notification to certain managed care plans or MediPass providers prior to termination of a child's eligibility for Florida Kidcare; providing for certain information relating to eligibility to be obtained electronically; providing an exemption from certain requirements for individuals who pay the full cost of the Florida Kidcare premium; amending s. 409.815, F.S.; revising provisions relating to health benefits coverage for specified services to include habilitative and behavior analysis services; providing definitions; limiting the lifetime maximum of health benefits coverage for certain services; amending s. 409.818, F.S.; revising timeframe for redetermination or reverification of eligibility for Florida Kidcare; amending s. 409.906, F.S.; creating the "Window of Opportunity Act"; authorizing the Agency for Health Care Administration to seek federal approval through a state plan amendment to provide home and community-based services for autism spectrum disorder and other development disabilities; specifying eligibility criteria; specifying limitations on provision of benefits; requiring reports to the Legislature; requiring legislative approval for implementation of certain provisions; amending s. 409.91, F.S.; revising duties of the Florida Healthy Kids Corporation; creating s. 624.916, F.S.; creating the "Window of Opportunity Act"; directing the Office of Insurance Regulation to establish a workgroup to develop and execute a compact relating to coverage for insured persons with development disabilities; providing for membership of the workgroup; requiring the workgroup to convene within a specified period of time; directing the office to establish a consumer advisory workgroup and providing purpose thereof; requiring the compact to contain specified components; requiring reports to the Governor and the Legislature; creating s. 627.6686, F.S.; creating the Steven A. Geller Autism Coverage Act"; providing health insurance coverage for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting insurers from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; clarifying that the section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan; prohibiting the Office of Insurance Regulation from enforcing certain provisions against insurers that are signatories to the developmental disabilities compact by a specified date; creating s. 641.31098, F.S.; providing coverage under a health maintenance contract for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting health maintenance organizations from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; prohibiting the Office of Insurance Regulation from enforcing certain provisions against health maintenance organizations that are signatories to the developmental disabilities compact by a specified date; providing an effective date.

On motion by Senator Geller, the Senate refused to concur in the House amendment to **CS for CS for CS for SB 2654** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for HB 745 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for HB 745—A bill to be entitled An act relating to postsecondary education; amending s. 216.136, F.S.; revising provisions relating to student enrollment projections, and adjustments thereto, for the

state educational system developed by the Education Estimating Conference; amending s. 1005.32, F.S.; revising requirements for application for licensure by accreditation by an independent postsecondary educational institution; amending s. 1007.24, F.S.; revising provisions regarding determination of equivalency of courses; amending s. 1009.01, F.S.; providing definitions relating to postsecondary education; amending s. 1009.21, F.S.; providing that determination of resident status applies to eligibility for state financial aid awards and tuition assistance grants; revising definitions; revising provisions relating to qualification as a resident for tuition purposes; providing for reclassification of status; providing duties of institutions of higher education; amending s. 1009.22, F.S.; revising provisions relating to the workforce education postsecondary student capital improvement fee; amending s. 1009.23, F.S.; providing an exemption relating to establishment of the community college activity and service student fee; authorizing an increase in the amount of fees collected for financial aid purposes; increasing the amount of financial aid fees that may be used to assist students who meet specified criteria; authorizing rulemaking; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; providing for the establishment of tuition and fees at the undergraduate and graduate levels and for professional programs; revising provisions relating to use of the student financial aid fee; revising provisions relating to establishment and conditions of the undergraduate tuition differential; amending s. 1009.25, F.S.; revising provisions authorizing student fee exemptions by community colleges; defining "fee-paying student"; amending s. 1009.265, F.S.; revising conditions for the use of state employee fee waivers; amending ss. 1009.98 and 1011.48, F.S.; conforming cross-references; amending s. 196.192, F.S.; specifying educational institutions as exempt entities for purposes of exemptions from ad valorem taxation for property owned by exempt entities; providing an effective date.

House Amendment 1 (289389) to Senate Amendment 1 (with title amendment)—Between lines 71 and 72, insert:

Section 2. Subsection (1) of section 1005.32, Florida Statutes, is amended to read:

1005.32 Licensure by means of accreditation.—

(1) An independent postsecondary educational institution that meets the following criteria may apply for a license by means of accreditation from the commission:

(a) The institution has operated legally in this state for at least 5 consecutive years.

(b) The institution holds institutional accreditation by an accrediting agency evaluated and approved by the commission as having standards substantially equivalent to the commission's licensure standards.

(c) The institution has no unresolved complaints or actions in the past 12 months.

(d) The institution meets minimum requirements for financial responsibility as determined by the commission.

~~(e) The institution is a Florida corporation.~~

Section 3. Subsection (7) of section 1007.24, Florida Statutes, is amended to read:

1007.24 Statewide course numbering system.—

(7) Any student who transfers among postsecondary institutions that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and that participate in the statewide course numbering system shall be awarded credit by the receiving institution for courses satisfactorily completed by the student at the previous institutions. Credit shall be awarded if the courses are judged by the appropriate statewide course numbering system faculty committees representing school districts, public postsecondary educational institutions, and participating nonpublic postsecondary educational institutions to be academically equivalent to courses offered at the receiving institution, including equivalency of faculty credentials, regardless of the *United States Department of Education recognized accrediting agency and* public or nonpublic control of the previous institution. The Department of Education shall ensure that credits to be accepted by a receiving institution are generated in courses for which the faculty possess credentials that are comparable to those required by the accrediting association of the receiving institution. The award of credit may be limited to courses that are entered in the statewide course numbering system. Credits awarded pursuant to this subsection shall satisfy institutional requirements on the same basis as credits awarded to native students.

Section 4. Subsection (1) of section 1009.265, Florida Statutes, is amended to read:

1009.265 State employee fee waivers.—

(1) As a benefit to the employer and employees of the state, ~~subject to approval by an employee's agency head or the equivalent,~~ each state university and community college shall waive tuition and fees for state employees to enroll for up to 6 credit hours of courses*, including distance learning or online courses,* per term on a space-available basis. *The employee must have the approval of his or her supervisor to use the waiver to take a course or courses during normal work hours. For purposes of implementing this section, the space available in a course is to be determined based on the number of seats or capacity remaining in the course at the end of the drop-add period. State employee fee waivers may not be used for dissertation, thesis, directed individual study (DIS), or other one-to-one instruction.*

Section 5. Section 196.192, Florida Statutes, is amended to read:

196.192 Exemptions from ad valorem taxation.—Subject to the provisions of this chapter:

(1) All property owned by an exempt entity*, including educational institutions,* and used exclusively for exempt purposes shall be totally exempt from ad valorem taxation.

(2) All property owned by an exempt entity*, including educational institutions,* and used predominantly for exempt purposes shall be exempted from ad valorem taxation to the extent of the ratio that such predominant use bears to the nonexempt use.

(3) All tangible personal property loaned or leased by a natural person, by a trust holding property for a natural person, or by an exempt entity to an exempt entity for public display or exhibition on a recurrent schedule is exempt from ad valorem taxation if the property is loaned or leased for no consideration or for nominal consideration.

For purposes of this section, each use to which the property is being put must be considered in granting an exemption from ad valorem taxation, including any economic use in addition to any physical use. For purposes of this section, property owned by a limited liability company, the sole member of which is an exempt entity, shall be treated as if the property were owned directly by the exempt entity. This section does not apply in determining the exemption for property owned by governmental units pursuant to s. 196.199.

And the title is amended as follows:

Remove lines 79-89 and insert: An act relating to postsecondary education; amending s. 1009.24, F.S.; revising requirements for the Board of Governors in establishing tuition and out-of-state fees for graduate and professional programs; revising requirements for the Board of Governors in establishing a uniform maximum undergraduate tuition differential for universities that have research and development expenditures of a specified amount; allowing the university board of trustees to maintain the differential unless otherwise directed by the Board of Governors; amending s. 1005.32, F.S.; revising requirements for application for licensure by accreditation by an independent postsecondary educational institution; amending s. 1007.24, F.S.; revising provisions regarding determination of equivalency of courses; amending s. 1009.265, F.S.; revising conditions for the use of state employee fee waivers; amending s. 196.192, F.S.; specifying educational institutions as exempt entities for purposes of exemptions from ad valorem taxation for property owned by exempt entities; providing an effective date.

Senator Lynn moved the following amendment which was adopted:

Senate Amendment 1 (792204) (with title amendment) to House Amendment 1 to Senate Amendment 1—Delete line(s) 7-67 and redesignate subsequent sections.

And the title is amended as follows:

Delete line(s) 108-114 and insert: otherwise directed by the Board of Governors; amending s. 196.192, F.S.;

On motion by Senator Lynn, the Senate concurred in **House Amendment 1 to Senate Amendment 1** as amended and requested the House to concur in the Senate amendment to the House amendment.

HB 745 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Aronberg	Fasano	Posey
Atwater	Gaetz	Rich
Baker	Garcia	Ring
Bennett	Geller	Saunders
Bullard	Haridopolos	Siplin
Carlton	Hill	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dawson	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	

Nays—2

Joyner	Justice

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed HB 7067 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

HB 7067—A bill to be entitled An act relating to virtual education; amending s. 1000.04, F.S.; providing that K-8 virtual schools are public K-12 schools; amending ss. 1002.20 and 1002.31, F.S.; providing that K-8 virtual schools are a public school choice option; amending s. 1002.415, F.S.; establishing the school district K-8 Virtual School Program; requiring school districts to offer a K-8 Virtual School Program beginning with the 2009-2010 school year; authorizing school districts to offer such program for the 2008-2009 school year; authorizing the provision of specified online instruction to students in grades 6 through 8 through a franchise agreement with the Florida Virtual School; specifying qualifications for and requiring Department of Education approval of contracted providers; requiring department approval for district programs; specifying requirements for a K-8 virtual school relating to employees, curriculum, equipment, and fees; requiring specified capacity and limiting future enrollment increases; providing student eligibility and enrollment requirements; requiring student compliance with specified attendance provisions; requiring students to take state assessment tests; providing funding through the Florida Education Finance Program for district K-8 Virtual School Programs; requiring K-8 virtual schools to participate in the state assessment program and education performance accountability system and receive school grades; requiring school improvement plans for schools that receive specified grades; requiring annual department review and reporting of student performance; specifying reasons for nonrenewal or termination of provider contracts; providing for continuation of existing K-8 virtual schools under contract with the department for specified students; providing requirements for the funding of such schools; requiring rulemaking; providing for application of section; amending s. 1003.01, F.S.; amending the definition of the term "core-curricula courses" to exclude Florida Virtual School and K-8 Virtual School Program courses; amending s. 1011.61, F.S.; defining a K-8 virtual school full-time equivalent student; providing effective dates.

House Amendment 1 (428985) to Senate Amendment 1—Remove lines 67-228 and insert:

(1) PROGRAM.—

(a) Beginning with the 2009-2010 school year, each school district shall provide students the option of participating in a virtual instruction program. The purpose of the program is to make virtual instruction available to full-time students in the school district based on the student's enrollment in full-time virtual courses in kindergarten through grade 8 or in full-time or part-time virtual courses in grades 9 through 12 as authorized in paragraph (7)(c).

(b) Each school district's virtual instruction program may consist of one or more schools that are operated by the district or by contracted providers approved by the Department of Education under subsection (2). School districts may participate in multi-district contractual arrangements, which may include contracts executed by a regional consortium for its member districts, to provide such programs.

(c)1. A charter school may enter into a joint agreement with the school district in which it is located for the charter school's students to participate in an approved district virtual instruction program.

2. If a charter school does not want to participate in the school district virtual instruction program under subparagraph 1., the charter school may submit a request to the Commissioner of Education for participation by its students in the K-8 Virtual School Program under s. 1002.415.

(2) PROVIDER QUALIFICATIONS.—On or before March 1, 2009, and annually thereafter, the department shall provide school districts with a list of providers approved to offer virtual instruction. To be approved by the department, a contract provider must annually document that it:

(a) Is nonsectarian in its programs, admission policies, employment practices, and operations;

(b) Complies with the antidiscrimination provisions of s. 1000.05;

(c) Locates an administrative office or offices in this state, requires its administrative staff to be state residents, and requires all instructional staff members to be Florida-certified teachers;

(d) Possesses prior, successful experience offering online courses to elementary, middle, or high school students;

(e) Utilizes an instructional model that relies on certified teachers, not parents, to provide at least 85 percent of the instruction to the student;

(f) Is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, or the New England Association of Colleges and Schools; and

(g) Complies with all requirements under this section.

Notwithstanding this subsection, approved providers of virtual instruction shall include the Florida Virtual School established under s. 1002.37 and providers that operate under s. 1002.415.

(3) SCHOOL DISTRICT VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual instruction program operated or contracted by a school district must:

(a) Require all instructional staff to be certified professional educators under chapter 1012.

(b) Conduct a background screening of all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records.

(c) Align virtual course curriculum and course content to the Sunshine State Standards under s. 1003.41.

(d) Offer instruction that is designed to enable a student to gain proficiency in each virtually delivered course of study.

(e) Provide each student enrolled in the program with all the necessary instructional materials.

(f) Provide, when appropriate, each household having a full-time student enrolled in the program with:

1. All equipment necessary for participants in the school district virtual instruction program, including, but not limited to, a computer, computer monitor, and printer; and

2. Access to or reimbursement for all Internet services necessary for online delivery of instruction.

(g) Not require tuition or student registration fees.

(4) PROGRAM CAPACITY; ENROLLMENT.—Beginning with the 2010-2011 school year, except for courses offered by the Florida Virtual School under s. 1002.37, a school district may not increase the enrollment for its full-time virtual instruction program in excess of its prior school year enrollment unless the program for the previous school year is designated with a grade of "C," making satisfactory progress, or better under the school grading system provided in s. 1008.34.

(5) STUDENT ELIGIBILITY.—Enrollment in a school district virtual instruction program is open to any student residing within the district's attendance area if the student meets at least one of the following conditions:

(a) The student has spent the prior school year in attendance at a public school in this state and was enrolled and reported by a public school district for funding during the preceding October and February for purposes of the Florida Education Finance Program surveys.

(b) The student is a dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state from another state or from a foreign country pursuant to the parent's permanent change of station orders.

(c) The student was enrolled during the prior school year in a school district virtual instruction program under this section or a K-8 Virtual School Program under s. 1002.415.

(6) STUDENT PARTICIPATION REQUIREMENTS.—Each student enrolled in a school district virtual instruction program must:

(a) Comply with the compulsory attendance requirements of s. 1003.21. Student attendance must be verified by the school district.

(b) Take state assessment tests within the school district in which such student resides, which must provide the student with access to the district's testing facilities.

(7) FUNDING.—

(a) For purposes of a 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 shall report full-time equivalent students for the school district virtual instruction program and for a charter school's students who participate under paragraph (1)(c) to the department only in a manner prescribed by the department, and funding shall be provided through the Florida Education Finance Program.

(c) Full-time or part-time school district virtual instruction program courses provided under this section for students in grades 9 through 12 are limited to Department of Juvenile Justice programs and dropout prevention programs.

(d) If a charter school's students participate in the K-8 Virtual School Program under subparagraph (1)(c)2., the school district shall remit payment to the provider instructing the students in the amount per full-time equivalent student established in the General Appropriations Act pursuant to s. 1002.415(6)(a). Any funds received in excess of such amount shall be retained by the school district reporting the charter school's full-time equivalent students under paragraph (b).

(8) ASSESSMENT AND ACCOUNTABILITY.—

(a) With the exception of the programs offered by the Florida Virtual School under s. 1002.37, each school district virtual instruction program must:

1. Participate in the statewide assessment program under s. 1008.22 and in the state's education performance accountability system under s. 1008.31.

2. Receive a school grade as provided in s. 1008.34. A school district virtual instruction program shall be considered a school under s. 1008.34 for purposes of this section, regardless of the number of individual providers participating in the district's program.

(b) The performance of part-time students under paragraph (7)(c) shall not be included for purposes of school grading under subparagraph (a)2.; however, their performance shall be included for school grading purposes by the nonvirtual school providing the student's primary instruction.

(c) A program that is designated with a grade of "D," making less than satisfactory progress, or "F," failing to make adequate progress, must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(d) The school district shall terminate its program, including all contracts with providers for such program, if the program receives a grade of "D," making less than satisfactory progress, or "F," failing to make adequate progress, for 2 years during any consecutive 4-year period. If a contract is not renewed or is terminated, the contracted provider is responsible for all debts of the program or school operated by the provider.

(e) A school district that terminates its program under paragraph (d) shall contract with a provider selected and approved by the department for the provision of virtual instruction until the school district receives approval from the department to operate a new school district virtual instruction program.

(f) A school district virtual instruction program must have a sufficient number of students enrolled in each grade for a grade to be assigned to the program pursuant to s. 1008.34 and State Board of Education rule.

(9) EXCEPTIONS.—A provider of digital or online content or curriculum that is used to supplement the instruction of students who are not enrolled in a virtual instruction program under this section is not required to meet the requirements of this section.

(10) MARKETING.—Any information provided by a school district to parents and students regarding the school district's virtual instruction program must include information about opportunities available at, and the parent's and student's right to access courses offered by, the Florida Virtual School under s. 1002.37.

(11) 2008-2009 SCHOOL DISTRICT VIRTUAL INSTRUCTION PROGRAM.—For the 2008-2009 school year, each school district in the state may offer a school district virtual instruction program to provide full-time virtual courses in kindergarten through grade 8 or to provide full-time or part-time virtual courses in grades 9 through 12 as authorized in paragraph (7)(c). Such program may be operated or contracted as provided under paragraph (1)(b) and must comply with all requirements of this section, except that contracts under this subsection may only be issued for virtual courses in kindergarten through grade 8 to providers operating under s. 1002.415 or for virtual courses in grades 9 through 12 as authorized under paragraph (7)(c) to providers who contracted with a regional consortium in the 2007-2008 school year to provide such services.

(12) RULES.—The State Board of Education shall adopt rules necessary to administer this section, including rules that prescribe school district and charter school reporting requirements.

Section 5. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(14) "Core-curricula courses" means courses defined by the Department of Education as mathematics, language arts/reading, science, social studies, foreign language, English for Speakers of Other Languages, exceptional student education, and courses taught in traditional self-contained elementary school classrooms. The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution. *This term does not include courses offered under ss. 1002.37, 1002.415, and 1002.45.*

And the title is amended as follows:

Remove lines 300-336 and insert: provide students the option of participating in a virtual instruction program beginning with the 2009-2010 school year; providing a purpose; authorizing a school district to implement virtual instruction programs through district-operated programs or programs provided by contracted providers approved by the Department of Education; authorizing a school district to participate in multidistrict contractual arrangements; authorizing a charter school to enter into a joint agreement for charter school students to participate in an approved district virtual instruction program or to request participation in the K-8 Virtual School Program; requiring contract providers to meet certain qualifications; providing an exemption from such qualifications for the Florida Virtual School and K-8 Virtual School Program providers; requiring each virtual instruction program operated or contracted by a school district to meet certain requirements; prohibiting a school district from increasing its enrollment in a virtual education program in excess of the prior year's enrollment unless the program achieves a certain performance grade under the school grading system; providing an exemption for such prohibition for the Florida Virtual School; specifying eligibility requirements for students to participate in a district virtual instruction program; specifying participation requirements for enrolled students; defining the term "full-time equivalent student"; providing that specified virtual instruction programs be funded through the Florida Education Finance Program; limiting virtual program instruction courses for students in grades 9 through 12; providing for payment by school district for charter school students participating in K-8 Virtual School Program; providing for school district retention of specified excess funds; requiring participation in the statewide assessment program and education performance accountability system; requiring a school improvement plan or program termination under specified circumstances; exempting certain providers from the act; requiring school districts to include certain information about the Florida Virtual School in information provided to parents and students about the district's virtual instruction program; authorizing school districts to offer specified virtual instruction programs in the 2008-2009 school year; requiring the State

Senator Wise moved the following amendments which were adopted:

Senate Amendment 1 (946918) to House Amendment 1 to Senate Amendment 1—Delete line(s) 7-14 and insert:

(a) 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 provide virtual instruction to full-time students enrolled in full-time virtual courses in kindergarten through grade 8 or in full-time or part-time virtual courses in grades 9 through 12 as authorized in paragraph (7)(c).

Senate Amendment 2 (045342) (with title amendment) to House Amendment 1 to Senate Amendment 1—Delete line(s) 22-30 and insert:

(c) A charter school may enter into a joint agreement with the school district in which it is located for the charter school's students to participate in an approved district virtual instruction program.

And the title is amended as follows:

Delete line(s) 231 and 232 and insert: virtual instruction program; requiring contract providers to meet

Senate Amendment 3 (853650) (with title amendment) to House Amendment 1 to Senate Amendment 1—Delete line(s) 127-135 and insert: *Juvenile Justice programs, dropout prevention programs, and career and vocational programs.*

And the title is amended as follows:

Delete line(s) 249-251.

Senate Amendment 4 (515614) to House Amendment 1 to Senate Amendment 1—Delete line(s) 172-175.

On motion by Senator Wise, the Senate concurred in **House Amendment 1 to Senate Amendment 1** as amended and requested the House to concur in the Senate amendments to the House amendment.

HB 7067 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 682, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; providing an effective date.

House Amendment 1 (162105)(with title amendment)—Remove line 26 and insert:

Section 2. Paragraph (h) of subsection (2) of section 20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(2)

(h) The commission shall appoint an executive director and assistant executive director, who shall serve under the direction, supervision, and control of the commission. The executive director, with the consent of the commission, shall employ such staff as are necessary to perform adequately the functions of the commission, within budgetary limitations. All employees of the commission are exempt from part II of chapter 110 and shall serve at the pleasure of the commission. *The salary and benefits of the executive director shall be set in accordance with the Senior Management Service.* The salaries and benefits of all *other* employees of the commission shall be set in accordance with the Selected Exempt Service; ~~provided,~~ however, ~~that~~ the commission *has* ~~shall have~~ complete authority for fixing the salary of the executive director and assistant executive director.

Section 3. Subsection (5) of section 125.42, Florida Statutes, is amended to read:

125.42 Water, sewage, gas, power, telephone, other utility, and television lines along county roads and highways.—

(5) In the event of widening, repair, or reconstruction of any such road, the licensee shall move or remove such water, sewage, gas, power, telephone, and other utility lines and television lines at no cost to the county *except as provided in s. 337.403(1)(e).*

Section 4. Paragraphs (a), (h), and (j) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant to the provisions of paragraph (11)(d), as overlays on the future land use map. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives. The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services; the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community; the compatibility of uses on lands adjacent to or closely proximate to military installations; *lands adjacent to an airport as defined in s. 330.35 and consistent with provisions in s. 333.02;* and, in rural communities, the need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy. The future land use plan may designate areas for future planned development use involving combinations of types of uses for which special regulations may be necessary to ensure development in accord with the principles and standards of the comprehensive plan and this act. The future land use plan element shall include criteria to be used to achieve the compatibility of adjacent or closely proximate lands with military installations*; lands adjacent to an airport as defined in s. 330.35 and consistent with provisions in s. 333.02.* In addition, for rural communities, the amount of land designated for future planned industrial use shall be based upon surveys and studies that reflect the need for job creation, capital investment, and the necessity to strengthen and diversify the local economies, and shall not be limited solely by the projected population of the rural community. The future land use plan of a county may also designate areas for possible future municipal incorporation. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection. For coastal counties, the future land use element must include, without limitation, regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts as defined in s. 342.07. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use. The failure by a local government to comply with these school siting requirements will result in the prohibition of the local government's ability to amend the local comprehensive plan, except for plan amendments described in s. 163.3187(1)(b), until the school siting requirements are met. Amendments proposed by a local government for purposes of identifying the land use categories in which public schools are an allowable use are exempt from the limitation on the frequency of plan amendments contained in s. 163.3187. The future land use element shall include criteria that encourage the location of schools proximate to urban residential areas to the extent possible and shall require that the local government seek to collocate public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods. For schools serving predominantly rural counties, defined as a county with a population of 100,000 or fewer, an agricultural land use category shall be eligible for the location of public school facilities if the local comprehensive plan contains school siting criteria and the location is consistent with such criteria. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of *lands adjacent to an airport as defined in s. 330.35 and consistent with provisions in s. 333.02* ~~adjacent or closely proximate lands with existing military installations~~ in their future land use plan element shall transmit the update or amendment to the *state land planning agency* ~~department~~ by June 30, *2011* ~~2006~~.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element shall provide ~~for~~ procedures to identify and implement joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for recognition of campus master plans prepared pursuant to s. 1013.30*, and airport master plans pursuant to paragraph (k).*

c. The intergovernmental coordination element may provide for a voluntary dispute resolution process as established pursuant to s. 186.509 for bringing to closure in a timely manner intergovernmental disputes. A local government may develop and use an alternative local dispute resolution process for this purpose.

d. The intergovernmental coordination element shall provide for interlocal agreements, as established pursuant to s. 333.03(1)(b).

2. The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

3. To foster coordination between special districts and local general-purpose governments as local general-purpose governments implement local comprehensive plans, each independent special district must submit a public facilities report to the appropriate local government as required by s. 189.415.

4.a. Local governments must execute an interlocal agreement with the district school board, the county, and nonexempt municipalities pursuant to s. 163.31777. The local government shall amend the intergovernmental coordination element to provide that coordination between the local government and school board is pursuant to the agreement and shall state the obligations of the local government under the agreement.

b. Plan amendments that comply with this subparagraph are exempt from the provisions of s. 163.3187(1).

5. The state land planning agency shall establish a schedule for phased completion and transmittal of plan amendments to implement subparagraphs 1., 2., and 3. from all jurisdictions so as to accomplish their adoption by December 31, 1999. A local government may complete and transmit its plan amendments to carry out these provisions prior to the scheduled date established by the state land planning agency. The plan amendments are exempt from the provisions of s. 163.3187(1).

6. By January 1, 2004, any county having a population greater than 100,000, and the municipalities and special districts within that county, shall submit a report to the Department of Community Affairs which:

a. Identifies all existing or proposed interlocal service delivery agreements regarding the following: education; sanitary sewer; public safety; solid waste; drainage; potable water; parks and recreation; and transportation facilities.

b. Identifies any deficits or duplication in the provision of services within its jurisdiction, whether capital or operational. Upon request, the Department of Community Affairs shall provide technical assistance to the local governments in identifying deficits or duplication.

7. Within 6 months after submission of the report, the Department of Community Affairs shall, through the appropriate regional planning council, coordinate a meeting of all local governments within the regional planning area to discuss the reports and potential strategies to remedy any identified deficiencies or duplications.

8. Each local government shall update its intergovernmental coordination element based upon the findings in the report submitted pursuant to subparagraph 6. The report may be used as supporting data and analysis for the intergovernmental coordination element.

(j) For each unit of local government within an urbanized area designated for purposes of s. 339.175, a transportation element, which shall be prepared and adopted in lieu of the requirements of paragraph (b) and paragraphs (7)(a), (b), (c), and (d) and which shall address the following issues:

1. Traffic circulation, including major thoroughfares and other routes, including bicycle and pedestrian ways.

2. All alternative modes of travel, such as public transportation, pedestrian, and bicycle travel.

3. Parking facilities.

4. Aviation, rail, seaport facilities, access to those facilities, and intermodal terminals.

5. The availability of facilities and services to serve existing land uses and the compatibility between future land use and transportation elements.

6. The capability to evacuate the coastal population prior to an impending natural disaster.

7. Airports, projected airport and aviation development, and land use compatibility around airports *that includes areas defined in ss. 333.01 and 333.02*.

8. An identification of land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors so as to encourage population densities sufficient to support such systems.

9. May include transportation corridors, as defined in s. 334.03, intended for future transportation facilities designated pursuant to s. 337.273. If transportation corridors are designated, the local government may adopt a transportation corridor management ordinance.

Section 5. Subsection (3) of section 163.3178, Florida Statutes, is amended to read:

163.3178 Coastal management.—

(3) Expansions to port harbors, spoil disposal sites, navigation channels, turning basins, harbor berths, and other related inwater harbor facilities of ports listed in s. 403.021(9); port transportation facilities and projects listed in s. 311.07(3)(b); and intermodal transportation facilities identified pursuant to s. 311.09(3) *and facilities determined by the Department of Community Affairs and applicable general purpose local government to be port-related industrial or commercial projects located within 3 miles of or in a port master plan area which rely upon the utilization of port and intermodal transportation facilities* shall not be developments of regional impact where such expansions, projects, or facilities are consistent with comprehensive master plans that are in compliance with this section.

Section 6. Paragraph (c) is added to subsection (2) of section 163.3182, Florida Statutes, and paragraph (d) of subsection (3), paragraph (a) of subsection (4), and subsections (5) and (8) of that section are amended, to read:

163.3182 Transportation concurrency backlogs.—

(2) CREATION OF TRANSPORTATION CONCURRENCY BACKLOG AUTHORITIES.—

(c) The Legislature finds and declares that there exists in many counties and municipalities areas with significant transportation deficiencies and inadequate transportation facilities; that many such insufficiencies and inadequacies severely limit or prohibit the satisfaction of transportation concurrency standards; that such transportation insufficiencies and inadequacies affect the health, safety, and welfare of the residents of such counties and municipalities; that such transportation insufficiencies and inadequacies adversely affect economic development and growth of the tax base for the areas in which such insufficiencies and inadequacies exist; and that the elimination of transportation deficiencies and inadequacies and the satisfaction of transportation concurrency standards are paramount public purposes for the state and its counties and municipalities.

(3) POWERS OF A TRANSPORTATION CONCURRENCY BACKLOG AUTHORITY.—Each transportation concurrency backlog authority has the powers necessary or convenient to carry out the purposes of this section, including the following powers in addition to others granted in this section:

(d) To borrow money*, including, but not limited to, issuing debt obligations, such as, but not limited to, bonds, notes, certificates, and similar debt instruments*; to apply for and accept advances, loans, grants, contributions, and any other forms of financial assistance from the Federal Government or the state, county, or any other public body or from any sources, public or private, for the purposes of this part; to give such security as may be required; to enter into and carry out contracts or agreements; and to include in any contracts for financial assistance with the Federal Government for or with respect to a transportation concurrency backlog project and related activities such conditions imposed pursuant to federal laws as the transportation concurrency backlog authority considers reasonable and appropriate and which are not inconsistent with the purposes of this section.

(4) TRANSPORTATION CONCURRENCY BACKLOG PLANS.—

(a) Each transportation concurrency backlog authority shall adopt a transportation concurrency backlog plan as a part of the local government comprehensive plan within 6 months after the creation of the authority. The plan shall:

1. Identify all transportation facilities that have been designated as deficient and require the expenditure of moneys to upgrade, modify, or mitigate the deficiency.

2. Include a priority listing of all transportation facilities that have been designated as deficient and do not satisfy concurrency requirements pursuant to s. 163.3180, and the applicable local government comprehensive plan.

3. Establish a schedule for financing and construction of transportation concurrency backlog projects that will eliminate transportation concurrency backlogs within the jurisdiction of the authority within 10 years after the transportation concurrency backlog plan adoption. The schedule shall be adopted as part of the local government comprehensive plan. *Notwithstanding such schedule requirements, as long as the schedule provides for the elimination of all transportation concurrency backlogs within 10 years after the adoption of the concurrency backlog plan, the final maturity date of any debt incurred to finance or refinance the related projects may be no later than 40 years after the date such debt is incurred and the authority may continue operations and administer the trust fund established as provided in subsection (5) for as long as such debt remains outstanding.*

(5) ESTABLISHMENT OF LOCAL TRUST FUND.—The transportation concurrency backlog authority shall establish a local transportation concurrency backlog trust fund upon creation of the authority. Each local trust fund shall be administered by the transportation concurrency backlog authority within which a transportation concurrency backlog has been identified. *Each local trust fund shall continue to be funded pursuant to this section for as long as the projects set forth in the related*

transportation concurrency backlog plan remain to be completed or until any debt incurred to finance or refinance the related projects are no longer outstanding, whichever occurs later. Beginning in the first fiscal year after the creation of the authority, each local trust fund shall be funded by the proceeds of an ad valorem tax increment collected within each transportation concurrency backlog area to be determined annually and shall be *a minimum of* 25 percent of the difference between *the amounts set forth in paragraphs (a) and (b), except that if all of the affected taxing authorities agree pursuant to an interlocal agreement, a particular local trust fund may be funded by the proceeds of an ad valorem tax increment greater than 25 percent of the difference between the amounts set forth in paragraphs (a) and (b)*:

(a) The amount of ad valorem tax levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the jurisdiction of the transportation concurrency backlog authority and within the transportation backlog area; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property within the transportation concurrency backlog area as shown on the most recent assessment roll used in connection with the taxation of such property of each taxing authority prior to the effective date of the ordinance funding the trust fund.

(8) DISSOLUTION.—Upon completion of all transportation concurrency backlog projects *and repayment or defeasance of all debt issued to finance or refinance such projects*, a transportation concurrency backlog authority shall be dissolved, and its assets and liabilities shall be transferred to the county or municipality within which the authority is located. All remaining assets of the authority must be used for implementation of transportation projects within the jurisdiction of the authority. The local government comprehensive plan shall be amended to remove the transportation concurrency backlog plan.

Section 7. Paragraph (c) of subsection (9) of section 287.055, Florida Statutes, is amended to read:

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.—

(9) APPLICABILITY TO DESIGN-BUILD CONTRACTS.—

(c) Except as otherwise provided in s. 337.11*(8)*~~(7)~~, the Department of Management Services shall adopt rules for the award of design-build contracts to be followed by state agencies. Each other agency must adopt rules or ordinances for the award of design-build contracts. Municipalities, political subdivisions, school districts, and school boards shall award design-build contracts by the use of a competitive proposal selection process as described in this subsection, or by the use of a qualifications-based selection process pursuant to subsections (3), (4), and (5) for entering into a contract whereby the selected firm will, subsequent to competitive negotiations, establish a guaranteed maximum price and guaranteed completion date. If the procuring agency elects the option of qualifications-based selection, during the selection of the design-build firm the procuring agency shall employ or retain a licensed design professional appropriate to the project to serve as the agency's representative. Procedures for the use of a competitive proposal selection process must include as a minimum the following:

1. The preparation of a design criteria package for the design and construction of the public construction project.

2. The qualification and selection of no fewer than three design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof.

3. The criteria, procedures, and standards for the evaluation of design-build contract proposals or bids, based on price, technical, and design aspects of the public construction project, weighted for the project.

4. The solicitation of competitive proposals, pursuant to a design criteria package, from those qualified design-build firms and the evaluation of the responses or bids submitted by those firms based on the evaluation criteria and procedures established prior to the solicitation of competitive proposals.

5. For consultation with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval by the agency of the detailed working drawings of the project; and for evaluation of the compliance of the project construction with the design criteria package by the design criteria professional.

6. In the case of public emergencies, for the agency head to declare an emergency and authorize negotiations with the best qualified design-build firm available at that time.

Section 8. Section 316.0741, Florida Statutes, is amended to read:

316.0741 *High-occupancy-vehicle* ~~High occupancy vehicle~~ lanes.—

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

(a) "*High-occupancy-vehicle* ~~High occupancy vehicle~~ lane" or "HOV lane" means a lane of a public roadway designated for use by vehicles in which there is more than one occupant unless otherwise authorized by federal law.

(b) "Hybrid vehicle" means a motor vehicle:

1. That draws propulsion energy from onboard sources of stored energy which are both an internal combustion or heat engine using combustible fuel and a rechargeable energy-storage system; and

2. That, in the case of a passenger automobile or light truck, has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., and meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.

(2) The number of persons that must be in a vehicle to qualify for legal use of the HOV lane and the hours during which the lane will serve as an HOV lane, if it is not designated as such on a full-time basis, must also be indicated on a traffic control device.

(3) *Except as provided in subsection (4),* a vehicle may not be driven in an HOV lane if the vehicle is occupied by fewer than the number of occupants indicated by a traffic control device. A driver who violates this section shall be cited for a moving violation, punishable as provided in chapter 318.

(4)*(a)* Notwithstanding any other provision of this section, an inherently low-emission vehicle (ILEV) that is certified and labeled in accordance with federal regulations may be driven in an HOV lane at any time, regardless of its occupancy. In addition, upon the state's receipt of written notice from the proper federal regulatory agency authorizing such use, a vehicle defined as a hybrid vehicle under this section may be driven in an HOV lane at any time, regardless of its occupancy.

(b) All eligible hybrid and all eligible other low-emission and energy-efficient vehicles driven in an HOV lane must comply with the minimum fuel economy standards in 23 U.S.C. s. 166(f)(3)(B).

(c) Upon issuance of the applicable Environmental Protection Agency final rule pursuant to 23 U.S.C. s. 166(e), relating to the eligibility of hybrid and other low-emission and energy-efficient vehicles for operation in an HOV lane regardless of occupancy, the Department of Transportation shall review the rule and recommend to the Legislature any statutory changes necessary for compliance with the federal rule. The department shall provide its recommendations no later than 30 days following issuance of the final rule.

(5) The department shall issue a decal and registration certificate, to be renewed annually, reflecting the HOV lane designation on ~~such~~ vehicles *meeting the criteria in subsection (4)* authorizing *driving in an HOV lane at any time* ~~such use~~. The department may charge a fee for a decal, not to exceed the costs of designing, producing, and distributing each decal, or $5, whichever is less. The proceeds from sale of the decals shall be deposited in the Highway Safety Operating Trust Fund. *The department may, for reasons of operation and management of HOV facilities, limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles, regardless of occupancy, if it has been determined by the Department of Transportation that the facilities are degraded as defined by 23 U.S.C. s. 166(d)(2).*

(6) Vehicles having decals by virtue of compliance with the minimum fuel economy standards under 23 U.S.C. s. 166(f)(3)(B), and which are registered for use in high-occupancy toll lanes or express lanes in accordance with Department of Transportation rule, shall be allowed to use any HOV lanes redesignated as high-occupancy toll lanes or express lanes without payment of a toll.

~~(5) As used in this section, the term "hybrid vehicle" means a motor vehicle:~~

~~(a) That draws propulsion energy from onboard sources of stored energy which are both:~~

~~1. An internal combustion or heat engine using combustible fuel; and~~

~~2. A rechargeable energy storage system; and~~

~~(b) That, in the case of a passenger automobile or light truck:~~

~~1. Has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq.; and~~

~~2. Meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.~~

(7)~~(6)~~ The department may adopt rules necessary to administer this section.

Section 9. Subsection (4) of section 316.193, Florida Statutes, is amended to read:

316.193 Driving under the influence; penalties.—

(4)*(a)* Any person who is convicted of a violation of subsection (1) and who has a blood-alcohol level or breath-alcohol level of *0.15* ~~0.20~~ or higher, or any person who is convicted of a violation of subsection (1) and who at the time of the offense was accompanied in the vehicle by a person under the age of 18 years, shall be punished:

1.~~(a)~~ By a fine of:

a.~~1.~~ Not less than $500 or more than $1,000 for a first conviction.

b.~~2.~~ Not less than $1,000 or more than $2,000 for a second conviction.

c.~~3.~~ Not less than $2,000 for a third or subsequent conviction.

2.~~(b)~~ By imprisonment for:

a.~~1.~~ Not more than 9 months for a first conviction.

b.~~2.~~ Not more than 12 months for a second conviction.

(b) For the purposes of this subsection, only the instant offense is required to be a violation of subsection (1) by a person who has a blood-alcohol level or breath-alcohol level of *0.15* ~~0.20~~ or higher.

(c) In addition to the penalties in *subparagraphs (a)1. and 2.* ~~paragraphs (a) and (b)~~, the court shall order the mandatory placement, at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person for *not less than* ~~up to~~ 6 *continuous* months for the first offense and for *not less than* ~~at least~~ 2 *continuous* years for a second offense, when the convicted person qualifies for a permanent or restricted license. ~~The installation of such device may not occur before July 1, 2003.~~

Section 10. Effective October 1, 2008, paragraph (b) of subsection (1) and subsections (6) and (8) of section 316.302, Florida Statutes, are amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.—

(1)

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 385, and 390-397, with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus, as such rules and regulations existed on October 1, *2007* ~~2005~~.

(6) The state Department of Transportation shall perform the duties that are assigned to the *Field Administrator, Federal Motor Carrier Safety Administration* ~~Regional Federal Highway Administrator~~ under the federal rules, and an agent of that department, as described in s. 316.545(9), may enforce those rules.

(8) For the purpose of enforcing this section, any law enforcement officer of the Department of Transportation or duly appointed agent who holds a current safety inspector certification from the Commercial Vehicle Safety Alliance may require the driver of any commercial vehicle operated on the highways of this state to stop and submit to an inspection of the vehicle or the driver's records. If the vehicle or driver is found to be operating in an unsafe condition, or if any required part or equipment is not present or is not in proper repair or adjustment, and the continued operation would present an unduly hazardous operating condition, the officer may require the vehicle or the driver to be removed from service pursuant to the North American *Standard* ~~Uniform~~ Out-of-Service Criteria, until corrected. However, if continuous operation would not present an unduly hazardous operating condition, the officer may give written notice requiring correction of the condition within 14 days.

(a) Any member of the Florida Highway Patrol or any law enforcement officer employed by a sheriff's office or municipal police department authorized to enforce the traffic laws of this state pursuant to s. 316.640 who has reason to believe that a vehicle or driver is operating in an unsafe condition may, as provided in subsection (10), enforce the provisions of this section.

(b) Any person who fails to comply with an officer's request to submit to an inspection under this subsection commits a violation of s. 843.02 if the person resists the officer without violence or a violation of s. 843.01 if the person resists the officer with violence.

Section 11. Subsection (2) of section 316.613, Florida Statutes, is amended to read:

316.613 Child restraint requirements.—

(2) As used in this section, the term "motor vehicle" means a motor vehicle as defined in s. 316.003 *which* ~~that~~ is operated on the roadways, streets, and highways of the state. The term does not include:

(a) A school bus as defined in s. 316.003(45).

(b) A bus used for the transportation of persons for compensation, other than a bus regularly used to transport children to or from school, as defined in s. 316.615(1) (b), or in conjunction with school activities.

(c) A farm tractor or implement of husbandry.

(d) A truck *having a gross vehicle weight rating of more than 26,000* ~~of net weight of more than 5,000~~ pounds.

(e) A motorcycle, moped, or bicycle.

Section 12. Paragraph (a) of subsection (3) of section 316.614, Florida Statutes, is amended to read:

316.614 Safety belt usage.—

(3) As used in this section:

(a) "Motor vehicle" means a motor vehicle as defined in s. 316.003 *which* ~~that~~ is operated on the roadways, streets, and highways of this state. The term does not include:

1. A school bus.

2. A bus used for the transportation of persons for compensation.

3. A farm tractor or implement of husbandry.

4. A truck *having a gross vehicle weight rating of more than 26,000* ~~of a net weight of more than 5,000~~ pounds.

5. A motorcycle, moped, or bicycle.

Section 13. Paragraph (a) of subsection (2) of section 316.656, Florida Statutes, is amended to read:

316.656 Mandatory adjudication; prohibition against accepting plea to lesser included offense.—

(2)(a) No trial judge may accept a plea of guilty to a lesser offense from a person charged under the provisions of this act who has been given a breath or blood test to determine blood or breath alcohol content, the results of which show a blood or breath alcohol content by weight of *0.15* ~~0.20~~ percent or more.

Section 14. Section 322.64, Florida Statutes, is amended to read:

322.64 Holder of commercial driver's license; *persons operating a commercial motor vehicle;* driving with unlawful blood-alcohol level; refusal to submit to breath, urine, or blood test.—

(1)(a) A law enforcement officer or correctional officer shall, on behalf of the department, disqualify from operating any commercial motor vehicle a person who while operating or in actual physical control of a commercial motor vehicle is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or a person who has refused to submit to a breath, urine, or blood test authorized by s. 322.63 arising out of the operation or actual physical control of a commercial motor vehicle. *A law enforcement officer or correctional officer shall, on behalf of the department, disqualify the holder of a commercial driver's license from operating any commercial motor vehicle if the licenseholder, while operating or in actual physical control of a motor vehicle, is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or refused to submit to a breath, urine, or blood test authorized by s. 322.63.* Upon disqualification of the person, the officer shall take the person's driver's license and issue the person a 10-day temporary permit for the operation of noncommercial vehicles only if the person is otherwise eligible for the driving privilege and shall issue the person a notice of disqualification. If the person has been given a blood, breath, or urine test, the results of which are not available to the officer at the time of the arrest, the agency employing the officer shall transmit such results to the department within 5 days after receipt of the results. If the department then determines that the person ~~was arrested for a violation of s. 316.193 and that the person~~ had a blood-alcohol level or breath-alcohol level of 0.08 or higher, the department shall disqualify the person from operating a commercial motor vehicle pursuant to subsection (3).

(b) The disqualification under paragraph (a) shall be pursuant to, and the notice of disqualification shall inform the driver of, the following:

1.a. The driver refused to submit to a lawful breath, blood, or urine test and he or she is disqualified from operating a commercial motor vehicle for a period of 1 year, for a first refusal, or permanently, if he or she has previously been disqualified as a result of a refusal to submit to such a test; or

b. The driver *was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher, and his or her driving privilege shall be disqualified for a period of 1 year for a first offense or permanently disqualified if his or her driving privilege has been previously disqualified under this section.* ~~violated s. 316.193 by driving with an unlawful blood-alcohol level and he or she is disqualified from operating a commercial motor vehicle for a period of 6 months for a first offense or for a period of 1 year if he or she has previously been disqualified, or his or her driving privilege has been previously suspended, for a violation of s. 316.193.~~

2. The disqualification period for operating commercial vehicles shall commence on the date of ~~arrest or~~ issuance of *the* notice of disqualification~~, whichever is later~~.

3. The driver may request a formal or informal review of the disqualification by the department within 10 days after the date of ~~arrest or~~ issuance of *the* notice of disqualification~~, whichever is later~~.

4. The temporary permit issued at the time of ~~arrest or~~ disqualification *expires* ~~will expire~~ at midnight of the 10th day following the date of disqualification.

5. The driver may submit to the department any materials relevant to the *disqualification* ~~arrest~~ .

(2) Except as provided in paragraph (1)(a), the law enforcement officer shall forward to the department, within 5 days after the date of the ~~arrest or the~~ issuance of the notice of disqualification, ~~whichever is later,~~ a copy of the notice of disqualification, the driver's license of the person *disqualified* ~~arrested~~, and ~~a report of the arrest, including, if applicable,~~ an affidavit stating the officer's grounds for belief that the person *disqualified* ~~arrested~~ was *operating or in actual physical control of a commercial motor vehicle, or holds a commercial driver's license, and had an unlawful blood-alcohol or breath-alcohol level* ~~in violation of s. 316.193~~; the results of any breath or blood *or urine* 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 arrested refused to submit; a copy of the *notice of disqualification* ~~citation~~ issued to the person ~~arrested~~; and the officer's description of the person's field sobriety test, if any. The failure of the officer to submit materials within the 5-day period specified in this subsection or subsection (1) *does* ~~shall~~ 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 *and a copy of the crash report, if any*.

(3) If the department determines that the person arrested should be disqualified from operating a commercial motor vehicle pursuant to this section and if the notice of disqualification has not already been served upon the person by a law enforcement officer or correctional officer as provided in subsection (1), the department shall issue a notice of disqualification and, unless the notice is mailed pursuant to s. 322.251, a temporary permit which expires 10 days after the date of issuance if the driver is otherwise eligible.

(4) If the person *disqualified* ~~arrested~~ requests an informal review pursuant to subparagraph (1)(b)3., the department shall conduct the informal review by a hearing officer employed by the department. Such informal review hearing shall consist solely of an examination by the department of the materials submitted by a law enforcement officer or correctional officer and by the person *disqualified* ~~arrested~~, and the presence of an officer or witness is not required.

(5) After completion of the informal review, notice of the department's decision sustaining, amending, or invalidating the disqualification must be provided to the person. Such notice must be mailed to the person at the last known address shown on the department's records, and to the address provided in the law enforcement officer's report if such address differs from the address of record, within 21 days after the expiration of the temporary permit issued pursuant to subsection (1) or subsection (3).

(6)(a) If the person *disqualified* ~~arrested~~ requests a formal review, the department must schedule a hearing to be held within 30 days after such request is received by the department and must notify the person of the date, time, and place of the hearing.

(b) Such formal review hearing shall be held before a hearing officer employed by the department, and the hearing officer shall be authorized to administer oaths, examine witnesses and take testimony, receive relevant evidence, issue subpoenas *for the officers and witnesses identified in documents as provided in subsection (2)*, regulate the course and conduct of the hearing, and make a ruling on the disqualification. The department and the person *disqualified* ~~arrested~~ may subpoena witnesses, and the party requesting the presence of a witness shall be responsible for the payment of any witness fees. If the person who requests a formal review hearing fails to appear and the hearing officer finds such failure to be without just cause, the right to a formal hearing is waived ~~and the department shall conduct an informal review of the disqualification under subsection (4)~~.

(c) A party may seek enforcement of a subpoena under paragraph (b) by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, a person shall not be in contempt while a subpoena is being challenged.

(d) The department must, within 7 days after a formal review hearing, send notice to the person of the hearing officer's decision as to whether sufficient cause exists to sustain, amend, or invalidate the disqualification.

(7) In a formal review hearing under subsection (6) or an informal review hearing under subsection (4), the hearing officer shall determine by a preponderance of the evidence whether sufficient cause exists to sustain, amend, or invalidate the disqualification. The scope of the review shall be limited to the following issues:

(a) If the person was disqualified from operating a commercial motor vehicle for driving with an unlawful blood-alcohol level ~~in violation of s. 316.193~~:

1. Whether the arresting law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle*, or any motor vehicle if the driver holds a commercial driver's license,* in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

~~2. Whether the person was placed under lawful arrest for a violation of s. 316.193.~~

2.~~3.~~ Whether the person had an unlawful blood-alcohol level *or breath-alcohol level of 0.08 or higher* ~~as provided in s. 316.193~~.

(b) If the person was disqualified from operating a commercial motor vehicle for refusal to submit to a breath, blood, or urine test:

1. Whether the law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle*, or any motor vehicle if the driver holds a commercial driver's license,* in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

2. Whether the person refused to submit to the test after being requested to do so by a law enforcement officer or correctional officer.

3. Whether the person was told that if he or she refused to submit to such test he or she would be disqualified from operating a commercial motor vehicle for a period of 1 year or, in the case of a second refusal, permanently.

(8) Based on the determination of the hearing officer pursuant to subsection (7) for both informal hearings under subsection (4) and formal hearings under subsection (6), the department shall:

(a) Sustain the disqualification for a period of 1 year for a first refusal, or permanently if such person has been previously disqualified from operating a commercial motor vehicle as a result of a refusal to submit to such tests. The disqualification period commences on the date of the arrest or issuance of the notice of disqualification, whichever is later.

(b) Sustain the disqualification*:*

1. For a period of *1 year if the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher; or* ~~6 months for a violation of s. 316.193 or for a period of 1 year~~

2. Permanently if the person has been previously disqualified from operating a commercial motor vehicle or his or her driving privilege has been previously suspended *for driving or being in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher* ~~as a result of a violation of s. 316.193~~.

The disqualification period commences on the date of the arrest or issuance of the notice of disqualification~~, whichever is later~~.

(9) A request for a formal review hearing or an informal review hearing shall not stay the disqualification. If the department fails to schedule the formal review hearing to be held within 30 days after receipt of the request therefor, the department shall invalidate the disqualification. If the scheduled hearing is continued at the department's initiative, the department shall issue a temporary driving permit *limited to noncommercial vehicles* which *is* ~~shall be~~ valid until the hearing is conducted if the person is otherwise eligible for the driving privilege. Such permit shall not be issued to a person who sought and obtained a continuance of the hearing. The permit issued under this subsection shall authorize driving for business *purposes* ~~or employment use~~ only.

(10) A person who is disqualified from operating a commercial motor vehicle under subsection (1) or subsection (3) is eligible for issuance of a license for business or employment purposes only under s. 322.271 if the person is otherwise eligible for the driving privilege. However, such business or employment purposes license shall not authorize the driver to operate a commercial motor vehicle.

(11) The formal review hearing may be conducted upon a review of the reports of a law enforcement officer or a correctional officer, including documents relating to the administration of a breath test or blood test or the refusal to take either test. However, as provided in subsection (6), the driver may subpoena the officer or any person who administered or analyzed a breath or blood test.

(12) The formal review hearing and the informal review hearing are exempt from the provisions of chapter 120. The department is authorized to adopt rules for the conduct of reviews under this section.

(13) A person may appeal any decision of the department sustaining the disqualification from operating a commercial motor vehicle by a petition for writ of certiorari to the circuit court in the county wherein such person resides or wherein a formal or informal review was conducted pursuant to s. 322.31. However, an appeal shall not stay the disqualification. This subsection shall not be construed to provide for a de novo appeal.

(14) The decision of the department under this section shall not be considered in any trial for a violation of s. 316.193, s. 322.61, or s. 322.62, nor shall any written statement submitted by a person in his or her request for departmental review under this section be admissible into evidence against him or her in any such trial. The disposition of any related criminal proceedings shall not affect a disqualification imposed pursuant to this section.

(15) This section does not preclude the suspension of the driving privilege pursuant to s. 322.2615. The driving privilege of a person who has been disqualified from operating a commercial motor vehicle also may be suspended for a violation of s. 316.193.

Section 15. *Notwithstanding any law to the contrary, a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; however, this prohibition does not apply to any county that owns or is under contract to purchase an asphalt plant as of April 15, 2008, and that furnishes its plant-generated asphalt solely for use by local governments or company's under contract with local governments for projects within the boundaries of such county. Sale of plant generated asphalt to private entities or local governments outside the boundaries of such county is prohibited.*

Section 16. Paragraph (g) of subsection (5) of section 337.0261, Florida Statutes, is amended to read:

337.0261 Construction aggregate materials.—

(5) STRATEGIC AGGREGATES REVIEW TASK FORCE.—

(g) The task force shall be dissolved on *June 30, 2009* ~~July 1, 2008~~.

Section 17. Subsection (7) of section 337.11, Florida Statutes, is amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(7) If the department determines that it is in the best interest of the public, the department may pay a stipend to unsuccessful firms who have submitted responsive proposals for construction or maintenance contracts. The decision and amount of a stipend will be based upon department analysis of the estimated proposal development costs and the anticipated degree of competition during the procurement process. Stipends shall be used to encourage competition and compensate unsuccessful firms for a portion of their proposal development costs. The department shall retain the right to use ideas from unsuccessful firms that accept a stipend.

(8)~~(7)~~(a) If the head of the department determines that it is in the best interests of the public, the department may combine the design and

construction phases of a building, a major bridge, a limited access facility, or a rail corridor project into a single contract. Such contract is referred to as a design-build contract. *The department's goal shall be to procure up to 25 percent of the construction contracts which add capacity in the 5-year adopted work program as design-build contracts by July 1, 2013.* Design-build contracts may be advertised and awarded notwithstanding the requirements of paragraph (3)(c). However, construction activities may not begin on any portion of such projects for which the department has not yet obtained title to the necessary rights-of-way and easements for the construction of that portion of the project has vested in the state or a local governmental entity and all railroad crossing and utility agreements have been executed. Title to rights-of-way shall be deemed to have vested in the state when the title has been dedicated to the public or acquired by prescription.

(b) The department shall adopt by rule procedures for administering design-build contracts. Such procedures shall include, but not be limited to:

1. Prequalification requirements.

2. Public announcement procedures.

3. Scope of service requirements.

4. Letters of interest requirements.

5. Short-listing criteria and procedures.

6. Bid proposal requirements.

7. Technical review committee.

8. Selection and award processes.

9. Stipend requirements.

Section 18. Subsection (7) of section 337.14, Florida Statutes, is amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(7) No "contractor" as defined in s. 337.165(1)(d) or his or her "affiliate" as defined in s. 337.165(1)(a) qualified with the department under this section may also qualify under s. 287.055 or s. 337.105 to provide testing services, construction, engineering, and inspection services to the department. This limitation shall not apply to any design-build prequalification under s. 337.11*(8)*~~(7)~~.

Section 19. Paragraph (a) of subsection (2) of section 337.16, Florida Statutes, is amended to read:

337.16 Disqualification of delinquent contractors from bidding; determination of contractor nonresponsibility; denial, suspension, and revocation of certificates of qualification; grounds; hearing.—

(2) For reasons other than delinquency in progress, the department, for good cause, may determine any contractor not having a certificate of qualification nonresponsible for a specified period of time or may deny, suspend, or revoke any certificate of qualification. Good cause includes, but is not limited to, circumstances in which a contractor or the contractor's official representative:

(a) Makes or submits to the department false, deceptive, or fraudulent statements or materials in any bid proposal to the department, any application for a certificate of qualification, any certification of payment pursuant to s. 337.11*(11)*~~(10)~~, or any administrative or judicial proceeding;

Section 20. Paragraph (b) of subsection (1) of section 337.18 is amended to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(1)

(b) *Prior to beginning any work under the contract, the contractor shall maintain a copy of the payment and performance bond required under this section at its principal place of business and at the jobsite office, if one is established, and the contractor shall provide a copy of the payment and performance bond within 5 days after receipt of any written request therefor. A copy of the payment and performance bond required under this section may also be obtained directly from the department via a request made pursuant to chapter 119.* ~~Upon execution of the contract, and prior to beginning any work under the contract, the contractor shall record in the public records of the county where the improvement is located the payment and performance bond required under this section.~~ A claimant shall have a right of action against the contractor and surety for the amount due him or her, including unpaid finance charges due under the claimant's contract. Such action shall not involve the department in any expense.

Section 21. Subsections (1), (2), and (7) of section 337.185, Florida Statutes, are amended to read:

337.185 State Arbitration Board.—

(1) To facilitate the prompt settlement of claims for additional compensation arising out of construction *and maintenance* contracts between the department and the various contractors with whom it transacts business, the Legislature does hereby establish the State Arbitration Board, referred to in this section as the "board." For the purpose of this section, "claim" shall mean the aggregate of all outstanding claims by a party arising out of a construction *or maintenance* contract. Every contractual claim in an amount up to $250,000 per contract or, at the claimant's option, up to $500,000 per contract or, upon agreement of the parties, up to $1 million per contract that cannot be resolved by negotiation between the department and the contractor shall be arbitrated by the board after acceptance of the project by the department. As an exception, either party to the dispute may request that the claim be submitted to binding private arbitration. A court of law may not consider the settlement of such a claim until the process established by this section has been exhausted.

(2) The board shall be composed of three members. One member shall be appointed by the head of the department, and one member shall be elected by those construction *or maintenance* companies who are under contract with the department. The third member shall be chosen by agreement of the other two members. Whenever the third member has a conflict of interest regarding affiliation with one of the parties, the other two members shall select an alternate member for that hearing. The head of the department may select an alternative or substitute to serve as the department member for any hearing or term. Each member shall serve a 2-year term. The board shall elect a chair, each term, who shall be the administrator of the board and custodian of its records.

(7) The members of the board may receive compensation for the performance of their duties hereunder, from administrative fees received by the board, except that no employee of the department may receive compensation from the board. The compensation amount shall be determined by the board, but shall not exceed $125 per hour, up to a maximum of $1,000 per day for each member authorized to receive compensation. Nothing in this section shall prevent the member elected by construction *or maintenance* companies from being an employee of an association affiliated with the industry, even if the sole responsibility of that member is service on the board. Travel expenses for the industry member may be paid by an industry association, if necessary. The board may allocate funds annually for clerical and other administrative services.

Section 22. Subsection (1) of section 337.403, Florida Statutes, is amended to read:

337.403 Relocation of utility; expenses.—

(1) Any utility heretofore or hereafter placed upon, under, over, or along any public road or publicly owned rail corridor that is found by the authority to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor shall, upon 30 days' written notice to the utility or its agent by the authority, be removed or relocated by such utility at its own expense except as provided in paragraphs *(a)-(f)* ~~(a), (b), and (c)~~.

(a) If the relocation of utility facilities, as referred to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No. 627 of the 84th Congress,

is necessitated by the construction of a project on the federal-aid interstate system, including extensions thereof within urban areas, and the cost of such project is eligible and approved for reimbursement by the Federal Government to the extent of 90 percent or more under the Federal Aid Highway Act, or any amendment thereof, then in that event the utility owning or operating such facilities shall relocate such facilities upon order of the department, and the state shall pay the entire expense properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

(b) When a joint agreement between the department and the utility is executed for utility improvement, relocation, or removal work to be accomplished as part of a contract for construction of a transportation facility, the department may participate in those utility improvement, relocation, or removal costs that exceed the department's official estimate of the cost of such work by more than 10 percent. The amount of such participation shall be limited to the difference between the official estimate of all the work in the joint agreement plus 10 percent and the amount awarded for this work in the construction contract for such work. The department may not participate in any utility improvement, relocation, or removal costs that occur as a result of changes or additions during the course of the contract.

(c) When an agreement between the department and utility is executed for utility improvement, relocation, or removal work to be accomplished in advance of a contract for construction of a transportation facility, the department may participate in the cost of clearing and grubbing necessary to perform such work.

(d) If the utility facility being removed or relocated was initially installed to exclusively serve the department, its tenants, or both the department and its tenants, the department shall bear the costs of removal or relocation of that utility facility. The department shall not be responsible, however, for bearing the cost of removal or relocation of any subsequent additions to that facility for the purpose of serving others.

(e) If, pursuant to an agreement between a utility and the authority entered into after the effective date of this subsection, the utility conveys, subordinates, or relinquishes a compensable property right to the authority for the purpose of accommodating the acquisition or use of the right-of-way by the authority, without the agreement expressly addressing future responsibility for cost of removal or relocation of the utility, then the authority shall bear the cost of such removal or relocation. Nothing in this paragraph is intended to impair or restrict, or be used to interpret, the terms of any such agreement entered into prior to the effective date of this paragraph.

(f) If the utility is an electric facility being relocated underground in order to enhance vehicular, bicycle, and pedestrian safety and in which ownership of the electric facility to be placed underground has been transferred from a private to a public utility within the past 5 years, the department shall incur all costs of the relocation.

Section 23. Subsections (4) and (5) of section 337.408, Florida Statutes, are amended, subsection (7) is renumbered as subsection (8), and a new subsection (7) is added to that section, to read:

337.408 Regulation of benches, transit shelters, street light poles, waste disposal receptacles, and modular news racks within rights-of-way.—

(4) The department has the authority to direct the immediate relocation or removal of any bench, transit shelter, waste disposal receptacle, *public pay telephone,* or modular news rack which endangers life or property, except that transit bus benches which have been placed in service prior to April 1, 1992, are not required to comply with bench size and advertising display size requirements which have been established by the department prior to March 1, 1992. Any transit bus bench that was in service prior to April 1, 1992, may be replaced with a bus bench of the same size or smaller, if the bench is damaged or destroyed or otherwise becomes unusable. The department is authorized to adopt rules relating to the regulation of bench size and advertising display size requirements. If a municipality or county within which a bench is to be located has adopted an ordinance or other applicable regulation that establishes bench size or advertising display sign requirements different from requirements specified in department rule, the local government requirement shall be applicable within the respective municipality or county. Placement of any bench or advertising display on the National Highway System under a local ordinance or regulation adopted pursuant to this subsection shall be subject to approval of the Federal Highway Administration.

(5) No bench, transit shelter, waste disposal receptacle, *public pay telephone,* or modular news rack, or advertising thereon, shall be erected or so placed on the right-of-way of any road which conflicts with the requirements of federal law, regulations, or safety standards, thereby causing the state or any political subdivision the loss of federal funds. Competition among persons seeking to provide bench, transit shelter, waste disposal receptacle, or modular news rack services or advertising on such benches, shelters, receptacles, or news racks may be regulated, restricted, or denied by the appropriate local government entity consistent with the provisions of this section.

(7) Public pay telephones, including advertising displayed thereon, may be installed within the right-of-way limits of any municipal, county, or state road, except on a limited access highway, provided that such pay telephones are installed by a provider duly authorized and regulated by the Public Service Commission pursuant to s. 364.3375, that such pay telephones are operated in accordance with all applicable state and federal telecommunications regulations, and that written authorization has been given to a public pay telephone provider by the appropriate municipal or county government. Each advertisement shall be limited to a size no greater than 8 square feet and no public pay telephone booth shall display more than 3 such advertisements at any given time. No advertisements shall be allowed on public pay telephones located in rest areas, welcome centers, and other such facilities located on an interstate highway.

Section 24. Subsection (6) is added to section 338.01, Florida Statutes, to read:

338.01 Authority to establish and regulate limited access facilities.—

(6) All new limited access facilities and existing transportation facilities on which new or replacement electronic toll collection systems are installed shall be interoperable with the department's electronic toll collection system.

Section 25. Present subsections (7) and (8) of section 338.165, Florida Statutes, are redesignated as subsections (8) and (9), respectively, and a new subsection (7) is added to that section, to read:

338.165 Continuation of tolls.—

(7) This section does not apply to high-occupancy toll lanes or express lanes.

Section 26. Section 338.166, Florida Statutes, is created to read:

338.166 High-occupancy toll lanes or express lanes.—

(1) Under s. 11, Art. VII of the State Constitution, the department may request the Division of Bond Finance to issue bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes located on Interstate 95 in Miami-Dade and Broward Counties.

(2) The department may continue to collect the toll on the high-occupancy toll lanes or express lanes after the discharge of any bond indebtedness related to such project. All tolls so collected shall first be used to pay the annual cost of the operation, maintenance, and improvement of the high-occupancy toll lanes or express lanes project or associated transportation system.

(3) Any remaining toll revenue from the high-occupancy toll lanes or express lanes shall be used by the department for the construction, maintenance, or improvement of any road on the State Highway System.

(4) The department is authorized to implement variable rate tolls on high-occupancy toll lanes or express lanes.

(5) Except for high-occupancy toll lanes or express lanes, tolls may not be charged for use of an interstate highway where tolls were not charged as of July 1, 1997.

(6) This section does not apply to the turnpike system as defined under the Florida Turnpike Enterprise Law.

Section 27. Paragraphs (d) and (e) are added to subsection (1) of section 338.2216, Florida Statutes, to read:

338.2216 Florida Turnpike Enterprise; powers and authority.—

(1)

(d) The Florida Turnpike Enterprise is directed to pursue and implement new technologies and processes in its operations and collection of tolls and the collection of other amounts associated with road and infrastructure usage. Such technologies and processes shall include, without limitation, video billing and variable pricing.

(e)1. The Florida Turnpike Enterprise shall not under any circumstances contract with any vendor for the retail sale of fuel along the Florida Turnpike if such contract is negotiated or bid together with any other contract, including, but not limited to, the retail sale of food, maintenance services, or construction, with the exception that any contract for the retail sale of fuel along the Florida Turnpike shall be bid and contracted together with the retail sale of food at any convenience store attached to the fuel station.

2. All contracts related to service plazas, including, but not limited to, the sale of fuel, the retail sale of food, maintenance services, or construction, except for services provided as defined in s. 287.055(2)(a), awarded by the Florida Turnpike Enterprise shall be procured through individual competitive solicitations and awarded to the most cost-effective responder. This paragraph does not prohibit the award of more than one individual contract to a single vendor if he or she submits the most cost-effective response.

Section 28. Paragraph (b) of subsection (1) of section 338.223, Florida Statutes, is amended to read:

338.223 Proposed turnpike projects.—

(1)

(b) Any proposed turnpike project or improvement shall be developed in accordance with the Florida Transportation Plan and the work program pursuant to s. 339.135. Turnpike projects that add capacity, alter access, affect feeder roads, or affect the operation of the local transportation system shall be included in the transportation improvement plan of the affected metropolitan planning organization. If such turnpike project does not fall within the jurisdiction of a metropolitan planning organization, the department shall notify the affected county and provide for public hearings in accordance with s. 339.155*(5)*~~(6)~~(c).

Section 29. Section 338.231, Florida Statutes, is amended to read:

338.231 Turnpike tolls, fixing; pledge of tolls and other revenues.— The department shall at all times fix, adjust, charge, and collect such tolls *and amounts* for the use of the turnpike system as are required in order to provide a fund sufficient with other revenues of the turnpike system to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the turnpike system as the same become due and payable; and to create reserves for all such purposes.

~~(1) In the process of effectuating toll rate increases over the period 1988 through 1992, the department shall, to the maximum extent feasible, equalize the toll structure, within each vehicle classification, so that the per mile toll rate will be approximately the same throughout the turnpike system. New turnpike projects may have toll rates higher than the uniform system rate where such higher toll rates are necessary to qualify the project in accordance with the financial criteria in the turnpike law. Such higher rates may be reduced to the uniform system rate when the project is generating sufficient revenues to pay the full amount of debt service and operating and maintenance costs at the uniform system rate. If, after 15 years of opening to traffic, the annual revenue of a turnpike project does not meet or exceed the annual debt service requirements and operating and maintenance costs attributable to such project, the department shall, to the maximum extent feasible, establish a toll rate for the project which is higher than the uniform system rate as necessary to meet such annual debt service requirements and operating and maintenance costs. The department may, to the extent feasible, establish a temporary toll rate at less than the uniform system rate for the purpose of building patronage for the ultimate benefit of the turnpike system. In no case shall the temporary rate be established for more than 1 year. The requirements of this subsection shall not apply when the application of such requirements would violate any covenant established in a resolution or trust indenture relating to the issuance of turnpike bonds.~~

(1)~~(2)~~ Notwithstanding any other provision of law, the department may defer the scheduled July 1, 1993, toll rate increase on the Homestead Extension of the Florida Turnpike until July 1, 1995. The department may also advance funds to the Turnpike General Reserve Trust Fund to replace estimated lost revenues resulting from this deferral. The amount advanced must be repaid within 12 years from the date of advance; however, the repayment is subordinate to all other debt financing of the turnpike system outstanding at the time repayment is due.

(2)~~(3)~~ The department shall publish a proposed change in the toll rate for the use of an existing toll facility, in the manner provided for in s. 120.54, which will provide for public notice and the opportunity for a public hearing before the adoption of the proposed rate change. When the department is evaluating a proposed turnpike toll project under s. 338.223 and has determined that there is a high probability that the project will pass the test of economic feasibility predicated on proposed toll rates, the toll rate that is proposed to be charged after the project is constructed must be adopted during the planning and project development phase of the project, in the manner provided for in s. 120.54, including public notice and the opportunity for a public hearing. For such a new project, the toll rate becomes effective upon the opening of the project to traffic.

(3)(a)~~(4)~~ For the period July 1, 1998, through June 30, 2017, the department shall, to the maximum extent feasible, program sufficient funds in the tentative work program such that the percentage of turnpike toll and bond financed commitments in Dade County, Broward County, and Palm Beach County as compared to total turnpike toll and bond financed commitments shall be at least 90 percent of the share of net toll collections attributable to users of the turnpike system in Dade County, Broward County, and Palm Beach County as compared to total net toll collections attributable to users of the turnpike system. The requirements of this subsection do not apply when the application of such requirements would violate any covenant established in a resolution or trust indenture relating to the issuance of turnpike bonds. *The department at any time for economic considerations may establish lower temporary toll rates for a new or existing toll facility for a period not to exceed 1 year, after which the toll rates promulgated under s. 120.54 shall become effective.*

(b) The department shall also fix, adjust, charge, and collect such amounts needed to cover the costs of administering the different toll collection and payment methods and types of accounts being offered and utilized, in the manner provided for in s. 120.54, which will provide for public notice and the opportunity for a public hearing before adoption. Such amounts may stand alone, or be incorporated in a toll rate structure, or be a combination thereof.

(4)~~(5)~~ When bonds are outstanding which have been issued to finance or refinance any turnpike project, the tolls and all other revenues derived from the turnpike system and pledged to such bonds shall be set aside as may be provided in the resolution authorizing the issuance of such bonds or the trust agreement securing the same. The tolls or other revenues or other moneys so pledged and thereafter received by the department are immediately subject to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge is valid and binding as against all parties having claims of any kind in tort or contract or otherwise against the department irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the department.

(5)~~(6)~~ In each fiscal year while any of the bonds of the Broward County Expressway Authority series 1984 and series 1986-A remain outstanding, the department is authorized to pledge revenues from the turnpike system to the payment of principal and interest of such series of bonds and the operation and maintenance expenses of the Sawgrass Expressway, to the extent gross toll revenues of the Sawgrass Expressway are insufficient to make such payments. The terms of an agreement relative to the pledge of turnpike system revenue will be negotiated with the parties of the 1984 and 1986 Broward County Expressway Authority lease-purchase agreements, and subject to the covenants of those agreements. The agreement shall establish that the Sawgrass Expressway

shall be subject to the planning, management, and operating control of the department limited only by the terms of the lease-purchase agreements. The department shall provide for the payment of operation and maintenance expenses of the Sawgrass Expressway until such agreement is in effect. This pledge of turnpike system revenues shall be subordinate to the debt service requirements of any future issue of turnpike bonds, the payment of turnpike system operation and maintenance expenses, and subject to provisions of any subsequent resolution or trust indenture relating to the issuance of such turnpike bonds.

(6)~~(7)~~ The use and disposition of revenues pledged to bonds are subject to the provisions of ss. 338.22-338.241 and such regulations as the resolution authorizing the issuance of such bonds or such trust agreement may provide.

Section 30. Subsection (4) of section 339.12, Florida Statutes, is amended to read:

339.12 Aid and contributions by governmental entities for department projects; federal aid.—

(4)(a) Prior to accepting the contribution of road bond proceeds, time warrants, or cash for which reimbursement is sought, the department shall enter into agreements with the governing body of the governmental entity for the project or project phases in accordance with specifications agreed upon between the department and the governing body of the governmental entity. The department in no instance is to receive from such governmental entity an amount in excess of the actual cost of the project or project phase. By specific provision in the written agreement between the department and the governing body of the governmental entity, the department may agree to reimburse the governmental entity for the actual amount of the bond proceeds, time warrants, or cash used on a highway project or project phases that are not revenue producing and are contained in the department's adopted work program, or any public transportation project contained in the adopted work program. Subject to appropriation of funds by the Legislature, the department may commit state funds for reimbursement of such projects or project phases. Reimbursement to the governmental entity for such a project or project phase must be made from funds appropriated by the Legislature, and reimbursement for the cost of the project or project phase is to begin in the year the project or project phase is scheduled in the work program as of the date of the agreement. Funds advanced pursuant to this section, which were originally designated for transportation purposes and so reimbursed to a county or municipality, shall be used by the county or municipality for any transportation expenditure authorized under s. 336.025(7). Also, cities and counties may receive funds from persons, and reimburse those persons, for the purposes of this section. Such persons may include, but are not limited to, those persons defined in s. 607.01401(19).

(b) Prior to entering an agreement to advance a project or project phase pursuant to this subsection and subsection (5), the department shall first update the estimated cost of the project or project phase and certify that the estimate is accurate and consistent with the amount estimated in the adopted work program. If the original estimate and the updated estimate vary, the department shall amend the adopted work program according to the amendatory procedures for the work program set forth in s. 339.135(7). The amendment shall reflect all corresponding increases and decreases to the affected projects within the adopted work program.

(c) The department may enter into agreements under this subsection for a project or project phase not included in the adopted work program. As used in this paragraph, the term "project phase" means acquisition of rights-of-way, construction, construction inspection, and related support phases. The project or project phase must be a high priority of the governmental entity. Reimbursement for a project or project phase must be made from funds appropriated by the Legislature pursuant to s. 339.135(5). All other provisions of this subsection apply to agreements entered into under this paragraph. The total amount of project agreements for projects or project phases not included in the adopted work program *authorized by this paragraph* may not at any time exceed *$250* ~~$100~~ million. However, notwithstanding such *$250* ~~$100~~ million limit and any similar limit in s. 334.30, project advances for any inland county with a population greater than 500,000 dedicating amounts equal to $500 million or more of its Local Government Infrastructure Surtax pursuant to s. 212.055(2) for improvements to the State Highway System which are included in the local metropolitan planning organization's or the department's long-range transportation plans shall be excluded from the calculation of the statewide limit of project advances.

(d) The department may enter into agreements under this subsection with any county that has a population of 150,000 or less as determined by the most recent official estimate pursuant to s. 186.901 for a project or project phase not included in the adopted work program. As used in this paragraph, the term "project phase" means acquisition of rights-of-way, construction, construction inspection, and related support phases. The project or project phase must be a high priority of the governmental entity. Reimbursement for a project or project phase must be made from funds appropriated by the Legislature pursuant to s. 339.135(5). All other provisions of this subsection apply to agreements entered into under this paragraph. The total amount of project agreements for projects or project phases not included in the adopted work program authorized by this paragraph may not at any time exceed $200 million. The project must be included in the local government's adopted comprehensive plan. The department is authorized to enter into long-term repayment agreements of up to 30 years.

Section 31. Paragraph (d) of subsection (7) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(d)1. *Whenever the department proposes any amendment to the adopted work program, as defined in subparagraph (c)1. or subparagraph (c)3., which deletes or defers a construction phase on a capacity project, it shall notify each county affected by the amendment and each municipality within the county. The notification shall be issued in writing to the chief elected official of each affected county, each municipality within the county, and the chair of each affected metropolitan planning organization. Each affected county and each municipality in the county, is encouraged to coordinate with each other to determine how the amendment effects local concurrency management and regional transportation planning efforts. Each affected county, and each municipality within the county, shall have 14 days to provide written comments to the department regarding how the amendment will effect its respective concurrency management systems, including whether any development permits were issued contingent upon the capacity improvement, if applicable. After receipt of written comments from the affected local governments, the department shall include any written comments submitted by such local governments in its preparation of the proposed amendment.*

2. Following the 14-day comment period in subparagraph 1., if applicable, whenever the department proposes any amendment to the adopted work program, which amendment is defined in subparagraph (c)1., subparagraph (c)2., subparagraph (c)3., or subparagraph (c)4., it shall submit the proposed amendment to the Governor for approval and shall immediately notify the chairs of the legislative appropriations committees, the chairs of the legislative transportation committees, *and* each member of the Legislature who represents a district affected by the proposed amendment*. It shall also notify*~~,~~ each metropolitan planning organization affected by the proposed amendment, and each unit of local government affected by the proposed amendment*, unless it provided to each the notification required by subparagraph 1.* Such proposed amendment shall provide a complete justification of the need for the proposed amendment.

3.~~2.~~ The Governor shall not approve a proposed amendment until 14 days following the notification required in subparagraph *2.* ~~1.~~

4.~~3.~~ If either of the chairs of the legislative appropriations committees or the President of the Senate or the Speaker of the House of Representatives objects in writing to a proposed amendment within 14 days following notification and specifies the reasons for such objection, the Governor shall disapprove the proposed amendment.

Section 32. Section 339.155, Florida Statutes, is amended to read:

339.155 Transportation planning.—

(1) THE FLORIDA TRANSPORTATION PLAN.—The department shall develop ~~and annually update~~ a statewide transportation plan, to be known as the Florida Transportation Plan. The plan shall be designed so as to be easily read and understood by the general public. The purpose

of the Florida Transportation Plan is to establish and define the state's long-range transportation goals and objectives to be accomplished over a period of at least 20 years within the context of the State Comprehensive Plan, and any other statutory mandates and authorizations and based upon the prevailing principles of: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The Florida Transportation Plan shall consider the needs of the entire state transportation system and examine the use of all modes of transportation to effectively and efficiently meet such needs.

(2) SCOPE OF PLANNING PROCESS.—The department shall carry out a transportation planning process in conformance with s. 334.046(1). ~~which provides for consideration of projects and strategies that will:~~

~~(a) Support the economic vitality of the United States, Florida, and the metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;~~

~~(b) Increase the safety and security of the transportation system for motorized and nonmotorized users;~~

~~(c) Increase the accessibility and mobility options available to people and for freight;~~

~~(d) Protect and enhance the environment, promote energy conservation, and improve quality of life;~~

~~(e) Enhance the integration and connectivity of the transportation system, across and between modes throughout Florida, for people and freight;~~

~~(f) Promote efficient system management and operation; and~~

~~(g) Emphasize the preservation of the existing transportation system.~~

(3) FORMAT, SCHEDULE, AND REVIEW.—The Florida Transportation Plan shall be a unified, concise planning document that clearly defines the state's long-range transportation goals and objectives ~~and documents the department's short-range objectives developed to further such goals and objectives~~ . The plan shall*:*

(a) Include a glossary that clearly and succinctly defines any and all phrases, words, or terms of art included in the plan, with which the general public may be unfamiliar. ~~and shall consist of, at a minimum, the following components:~~

(b)~~(a)~~ *Document* ~~A long-range component documenting~~ the goals and long-term objectives necessary to implement the results of the department's findings from its examination of the *prevailing principles and* criteria *provided under* ~~listed in~~ subsection (2) and s. 334.046(1). ~~The long-range component must~~

(c) Be developed in cooperation with the metropolitan planning organizations and reconciled, to the maximum extent feasible, with the long-range plans developed by metropolitan planning organizations pursuant to s. 339.175. ~~The plan must also~~

(d) Be developed in consultation with affected local officials in nonmetropolitan areas and with any affected Indian tribal governments. ~~The plan must~~

(e) Provide an examination of transportation issues likely to arise during at least a 20-year period. ~~The long-range component shall~~

(f) Be updated at least once every 5 years, or more often as necessary, to reflect substantive changes to federal or state law.

~~(b) A short-range component documenting the short-term objectives and strategies necessary to implement the goals and long-term objectives contained in the long-range component. The short-range component must define the relationship between the long-range goals and the short-range objectives, specify those objectives against which the department's achievement of such goals will be measured, and identify transportation strategies necessary to efficiently achieve the goals and objectives in the plan. It must provide a policy framework within which the department's legislative budget request, the strategic information resource management plan, and the work program are developed. The short-range component shall serve as the department's annual agency strategic plan pursuant to s. 186.021. The short-range component shall be developed consistent with available and forecasted state and federal funds. The short-range component shall also be submitted to the Florida Transportation Commission.~~

~~(4) ANNUAL PERFORMANCE REPORT.—The department shall develop an annual performance report evaluating the operation of the department for the preceding fiscal year. The report shall also include a summary of the financial operations of the department and shall annually evaluate how well the adopted work program meets the short-term objectives contained in the short-range component of the Florida Transportation Plan. This performance report shall be submitted to the Florida Transportation Commission and the legislative appropriations and transportation committees.~~

(4)~~(5)~~ ADDITIONAL TRANSPORTATION PLANS.—

(a) Upon request by local governmental entities, the department may in its discretion develop and design transportation corridors, arterial and collector streets, vehicular parking areas, and other support facilities which are consistent with the plans of the department for major transportation facilities. The department may render to local governmental entities or their planning agencies such technical assistance and services as are necessary so that local plans and facilities are coordinated with the plans and facilities of the department.

(b) Each regional planning council, as provided for in s. 186.504, or any successor agency thereto, shall develop, as an element of its strategic regional policy plan, transportation goals and policies. The transportation goals and policies must be prioritized to comply with the prevailing principles provided in subsection (2) and s. 334.046(1). The transportation goals and policies shall be consistent, to the maximum extent feasible, with the goals and policies of the metropolitan planning organization and the Florida Transportation Plan. The transportation goals and policies of the regional planning council will be advisory only and shall be submitted to the department and any affected metropolitan planning organization for their consideration and comments. Metropolitan planning organization plans and other local transportation plans shall be developed consistent, to the maximum extent feasible, with the regional transportation goals and policies. The regional planning council shall review urbanized area transportation plans and any other planning products stipulated in s. 339.175 and provide the department and respective metropolitan planning organizations with written recommendations which the department and the metropolitan planning organizations shall take under advisement. Further, the regional planning councils shall directly assist local governments which are not part of a metropolitan area transportation planning process in the development of the transportation element of their comprehensive plans as required by s. 163.3177.

(c) Regional transportation plans may be developed in regional transportation areas in accordance with an interlocal agreement entered into pursuant to s. 163.01 by two or more contiguous metropolitan planning organizations; one or more metropolitan planning organizations and one or more contiguous counties, none of which is a member of a metropolitan planning organization; a multicounty regional transportation authority created by or pursuant to law; two or more contiguous counties that are not members of a metropolitan planning organization; or metropolitan planning organizations comprised of three or more counties.

(d) The interlocal agreement must, at a minimum, identify the entity that will coordinate the development of the regional transportation plan; delineate the boundaries of the regional transportation area; provide the duration of the agreement and specify how the agreement may be terminated, modified, or rescinded; describe the process by which the regional transportation plan will be developed; and provide how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the development or content of the regional transportation plan. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in the regional transportation area.

(e) The regional transportation plan developed pursuant to this section must, at a minimum, identify regionally significant transportation facilities located within a regional transportation area and contain a prioritized list of regionally significant projects. The level-of-service

standards for facilities to be funded under this subsection shall be adopted by the appropriate local government in accordance with s. 163.3180(10). The projects shall be adopted into the capital improvements schedule of the local government comprehensive plan pursuant to s. 163.3177(3).

(5)~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN TRANSPORTATION PLANNING.—

(a) During the development of the ~~long-range component of the~~ Florida Transportation Plan and prior to substantive revisions, the department shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other known interested parties with an opportunity to comment on the proposed plan or revisions. These opportunities shall include, at a minimum, publishing a notice in the Florida Administrative Weekly and within a newspaper of general circulation within the area of each department district office.

(b) During development of major transportation improvements, such as those increasing the capacity of a facility through the addition of new lanes or providing new access to a limited or controlled access facility or construction of a facility in a new location, the department shall hold one or more hearings prior to the selection of the facility to be provided; prior to the selection of the site or corridor of the proposed facility; and prior to the selection of and commitment to a specific design proposal for the proposed facility. Such public hearings shall be conducted so as to provide an opportunity for effective participation by interested persons in the process of transportation planning and site and route selection and in the specific location and design of transportation facilities. The various factors involved in the decision or decisions and any alternative proposals shall be clearly presented so that the persons attending the hearing may present their views relating to the decision or decisions which will be made.

(c) Opportunity for design hearings:

1. The department, prior to holding a design hearing, shall duly notify all affected property owners of record, as recorded in the property appraiser's office, by mail at least 20 days prior to the date set for the hearing. The affected property owners shall be:

a. Those whose property lies in whole or in part within 300 feet on either side of the centerline of the proposed facility.

b. Those whom the department determines will be substantially affected environmentally, economically, socially, or safetywise.

2. For each subsequent hearing, the department shall publish notice prior to the hearing date in a newspaper of general circulation for the area affected. These notices must be published twice, with the first notice appearing at least 15 days, but no later than 30 days, before the hearing.

3. A copy of the notice of opportunity for the hearing must be furnished to the United States Department of Transportation and to the appropriate departments of the state government at the time of publication.

4. The opportunity for another hearing shall be afforded in any case when proposed locations or designs are so changed from those presented in the notices specified above or at a hearing as to have a substantially different social, economic, or environmental effect.

5. The opportunity for a hearing shall be afforded in each case in which the department is in doubt as to whether a hearing is required.

Section 33. Subsection (3) and paragraphs (b) and (c) of subsection (4) of section 339.2816, Florida Statutes, are amended to read:

339.2816 Small County Road Assistance Program.—

(3) Beginning with fiscal year 1999-2000 until fiscal year 2009-2010*, and beginning again with fiscal year 2012-2013,* up to $25 million annually from the State Transportation Trust Fund may be used for the purposes of funding the Small County Road Assistance Program as described in this section.

(4)

(b) In determining a county's eligibility for assistance under this program, the department may consider whether the county has attempted to keep county roads in satisfactory condition, including the amount of local option fuel tax ~~and ad valorem millage rate~~ imposed by the county. The department may also consider the extent to which the county has offered to provide a match of local funds with state funds provided under the program. At a minimum, small counties shall be eligible only if~~:~~

~~1.~~ The county has enacted the maximum rate of the local option fuel tax authorized by s. 336.025(1)(a).~~, and has imposed an ad valorem millage rate of at least 8 mills; or~~

~~2. The county has imposed an ad valorem millage rate of 10 mills.~~

(c) The following criteria shall be used to prioritize road projects for funding under the program:

1. The primary criterion is the physical condition of the road as measured by the department.

2. As secondary criteria the department may consider:

a. Whether a road is used as an evacuation route.

b. Whether a road has high levels of agricultural travel.

c. Whether a road is considered a major arterial route.

d. Whether a road is considered a feeder road.

e. Whether a road is located in a fiscally constrained county, as defined in s. 218.67(1).

f.~~e.~~ Other criteria related to the impact of a project on the public road system or on the state or local economy as determined by the department.

Section 34. Subsections (1) and (3) of section 339.2819, Florida Statutes, are amended to read:

339.2819 Transportation Regional Incentive Program.—

(1) There is created within the Department of Transportation a Transportation Regional Incentive Program for the purpose of providing funds to improve regionally significant transportation facilities in regional transportation areas created pursuant to s. 339.155*(4)*~~(5)~~.

(3) The department shall allocate funding available for the Transportation Regional Incentive Program to the districts based on a factor derived from equal parts of population and motor fuel collections for eligible counties in regional transportation areas created pursuant to s. 339.155*(4)*~~(5)~~ .

Section 35. Subsection (6) of section 339.285, Florida Statutes, is amended to read:

339.285 Enhanced Bridge Program for Sustainable Transportation.—

(6) Preference shall be given to bridge projects located on corridors that connect to the Strategic Intermodal System, created under s. 339.64, and that have been identified as regionally significant in accordance with s. 339.155*(4)*~~(5)~~(c), (d), and (e).

Section 36. *Part III of chapter 343, Florida Statutes, consisting of sections 343.71, 343.72, 343.73, 343.74, 343.75, 343.76, and 343.77, is repealed.*

Section 37. Subsection (4) of section 348.0003, Florida Statutes, is amended to read:

348.0003 Expressway authority; formation; membership.—

(4)(a) An authority may employ an executive secretary, an executive director, its own counsel and legal staff, technical experts, and such engineers and employees, permanent or temporary, as it may require and shall determine the qualifications and fix the compensation of such persons, firms, or corporations. An authority may employ a fiscal agent or agents; however, the authority must solicit sealed proposals from at

least three persons, firms, or corporations for the performance of any services as fiscal agents. An authority may delegate to one or more of its agents or employees such of its power as it deems necessary to carry out the purposes of the Florida Expressway Authority Act, subject always to the supervision and control of the authority. Members of an authority may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(b) Members of an authority are entitled to receive from the authority their travel and other necessary expenses incurred in connection with the business of the authority as provided in s. 112.061, but they may not draw salaries or other compensation.

(c) Members of *each expressway* ~~an~~ authority*, transportation authority, bridge authority, or toll authority, created pursuant to this chapter, chapter 343, or chapter 349, or pursuant to any other legislative enactment,* shall be required to comply with the applicable financial disclosure requirements of s. 8, Art. II of the State Constitution. *This subsection does not subject a statutorily created expressway authority, transportation authority, bridge authority, or toll authority, other than one created under this part, to any of the requirements of this part other than those contained in this subsection.*

Section 38. Paragraph (c) is added to subsection (1) of section 348.0004, Florida Statutes, to read:

348.0004 Purposes and powers.—

(1)

(c) Notwithstanding any other provision of law, expressway authorities created under parts I-X of chapter 348 may index toll rates on toll facilities to the annual Consumer Price Index or similar inflation indicators. Once a toll rate index has been implemented pursuant to this paragraph, the toll rate index shall remain in place and may not be revoked. Toll rate index for inflation under this subsection must be adopted and approved by the expressway authority board at a public meeting and may be made no more frequently than once a year and must be made no less frequently than once every 5 years as necessary to accommodate cash toll rate schedules. Toll rates may be increased beyond these limits as directed by bond documents, covenants, or governing body authorization or pursuant to department administrative rule.

Section 39. Subsection (1) of section 479.01, Florida Statutes, is amended to read:

479.01 Definitions.—As used in this chapter, the term:

(1) "Automatic changeable facing" means a facing *that* ~~which through a mechanical system~~ is capable of delivering two or more advertising messages *through an automated or remotely controlled process* ~~and shall not rotate so rapidly as to cause distraction to a motorist~~.

Section 40. Subsections (1), (5), and (9) of section 479.07, Florida Statutes, are amended to read:

479.07 Sign permits.—

(1) Except as provided in ss. 479.105(1)(e) and 479.16, a person may not erect, operate, use, or maintain, or cause to be erected, operated, used, or maintained, any sign on the State Highway System outside an *urban* ~~incorporated~~ area*, as defined in s. 334.03(32),* or on any portion of the interstate or federal-aid primary highway system without first obtaining a permit for the sign from the department and paying the annual fee as provided in this section. For purposes of this section, "on any portion of the State Highway System, interstate, or federal-aid primary system" shall mean a sign located within the controlled area which is visible from any portion of the main-traveled way of such system.

(5)(a) For each permit issued, the department shall furnish to the applicant a serially numbered permanent metal permit tag. The permittee is responsible for maintaining a valid permit tag on each permitted sign facing at all times. The tag shall be securely attached to the sign facing or, if there is no facing, on the pole nearest the highway; and it shall be attached in such a manner as to be plainly visible from the main-traveled way. *Effective July 1, 2011, the tag shall be securely attached to the upper 50 percent of the pole nearest the highway and shall be attached in such a manner as to be plainly visible from the main-traveled way.* The permit will become void unless the permit tag is properly and permanently displayed at the permitted site within 30 days after the date of permit issuance. If the permittee fails to erect a completed sign on the permitted site within 270 days after the date on which the permit was issued, the permit will be void, and the department may not issue a new permit to that permittee for the same location for 270 days after the date on which the permit became void.

(b) If a permit tag is lost, stolen, or destroyed, the permittee to whom the tag was issued *may* ~~must~~ apply to the department for a replacement tag. *The department shall establish by rule a service fee for replacement tags in an amount that will recover the actual cost of providing the replacement tag.* Upon receipt of the application accompanied by *the* ~~a~~ service fee ~~of $3~~, the department shall issue a replacement permit tag. *Alternatively, the permittee may provide its own replacement tag pursuant to department specifications which the department shall establish by rule at the time it establishes the service fee for replacement tags.*

(9)(a) A permit shall not be granted for any sign for which a permit had not been granted by the effective date of this act unless such sign is located at least:

1. One thousand five hundred feet from any other permitted sign on the same side of the highway, if on an interstate highway.

2. One thousand feet from any other permitted sign on the same side of the highway, if on a federal-aid primary highway.

The minimum spacing provided in this paragraph does not preclude the permitting of V-type, back-to-back, side-to-side, stacked, or double-faced signs at the permitted sign site. *If a sign is visible from the controlled area of more than one highway subject to the jurisdiction of the department, the sign shall meet the permitting requirements of, and, if the sign meets the applicable permitting requirements, be permitted to, the highway with the more stringent permitting requirements.*

(b) A permit shall not be granted for a sign pursuant to this chapter to locate such sign on any portion of the interstate or federal-aid primary highway system, which sign:

1. Exceeds 50 feet in sign structure height above the crown of the main-traveled way, if outside an incorporated area;

2. Exceeds 65 feet in sign structure height above the crown of the main-traveled way, if inside an incorporated area; or

3. Exceeds 950 square feet of sign facing including all embellishments.

(c) Notwithstanding subparagraph (a)1., there is established a pilot program in Orange*, Hillsborough,* and Osceola Counties*, and within the boundaries of the City of Miami,* under which the distance between permitted signs on the same side of an interstate highway may be reduced to 1,000 feet if all other requirements of this chapter are met and if:

1. The local government has adopted a plan, program, resolution, ordinance, or other policy encouraging the voluntary removal of signs in a downtown, historic, redevelopment, infill, or other designated area which also provides for a new or replacement sign to be erected on an interstate highway within that jurisdiction if a sign in the designated area is removed;

2. The sign owner and the local government mutually agree to the terms of the removal and replacement; and

3. The local government notifies the department of its intention to allow such removal and replacement as agreed upon pursuant to subparagraph 2.

The department shall maintain statistics tracking the use of the provisions of this pilot program based on the notifications received by the department from local governments under this paragraph.

Section 41. Section 479.08, Florida Statutes, is amended to read:

479.08 Denial or revocation of permit.—The department has the authority to deny or revoke any permit requested or granted under this chapter in any case in which it determines that the application for the permit contains knowingly false or *knowingly* misleading information.

The department has the authority to revoke any permit granted under this chapter in any case in which ~~or that~~ the permittee has violated any of the provisions of this chapter, unless such permittee, within 30 days after the receipt of notice by the department, ~~corrects such false or misleading information and~~ complies with the provisions of this chapter. *For the purpose of this section, the notice of violation issued by the department shall describe in detail the alleged violation.* Any person aggrieved by any action of the department in denying or revoking a permit under this chapter may, within 30 days after receipt of the notice, apply to the department for an administrative hearing pursuant to chapter 120. If a timely request for hearing has been filed and the department issues a final order revoking a permit, such revocation shall be effective 30 days after the date of rendition. Except for department action pursuant to s. 479.107(1), the filing of a timely and proper notice of appeal shall operate to stay the revocation until the department's action is upheld.

Section 42. Section 479.156, Florida Statutes, is amended to read:

479.156 Wall murals.—Notwithstanding any other provision of this chapter, a municipality or county may permit and regulate wall murals within areas designated by such government. If a municipality or county permits wall murals, a wall mural that displays a commercial message and is within 660 feet of the nearest edge of the right-of-way within an area adjacent to the interstate highway system or the federal-aid primary highway system shall be located in an area that is zoned for industrial or commercial use and the municipality or county shall establish and enforce regulations for such areas that, at a minimum, set forth criteria governing the size, lighting, and spacing of wall murals consistent with the intent of the Highway Beautification Act of 1965 and with customary use. *Whenever a municipality or county exercises such control and makes a determination of customary use, pursuant to 23 U.S.C. s. 131(d), such determination shall be accepted in lieu of controls in the agreement between the state and the United States Department of Transportation, and the Department of Transportation shall notify the Federal Highway Administration pursuant to the agreement, 23 U.S.C. s. 131(d), and 23 C.F.R. s. 750.706(c).* A wall mural that is subject to municipal or county regulation and the Highway Beautification Act of 1965 must be approved by the Department of Transportation and the Federal Highway Administration *where required by federal law and federal regulation pursuant to* ~~and may not violate~~ the agreement between the state and the United States Department of Transportation *and* ~~or violate~~ federal regulations enforced by the Department of Transportation under s. 479.02(1). The existence of a wall mural as defined in s. 479.01(27) shall not be considered in determining whether a sign as defined in s. 479.01(17), either existing or new, is in compliance with s. 479.07(9)(a).

Section 43. Subsections (1), (3), (4), and (5) of section 479.261, Florida Statutes, are amended to read:

479.261 Logo sign program.—

(1) The department shall establish a logo sign program for the rights-of-way of the interstate highway system to provide information to motorists about available gas, food, lodging, ~~and~~ camping*, attractions, and other* services*, as approved by the Federal Highway Administration,* at interchanges~~,~~ through the use of business logos, and may include additional interchanges under the program. ~~A logo sign for nearby attractions may be added to this program if allowed by federal rules.~~

(a) An attraction as used in this chapter is defined as an establishment, site, facility, or landmark *that* ~~which~~ is open a minimum of 5 days a week for 52 weeks a year; *that* ~~which charges an admission for entry; which~~ has as its principal focus family-oriented entertainment, cultural, educational, recreational, scientific, or historical activities; and *that* ~~which~~ is publicly recognized as a bona fide tourist attraction. ~~However, the permits for businesses seeking to participate in the attractions logo sign program shall be awarded by the department annually to the highest bidders, notwithstanding the limitation on fees in subsection (5), which are qualified for available space at each qualified location, but the fees therefor may not be less than the fees established for logo participants in other logo categories.~~

(b) The department shall incorporate the use of RV-friendly markers on specific information logo signs for establishments that cater to the needs of persons driving recreational vehicles. Establishments that qualify for participation in the specific information logo program and that also qualify as "RV-friendly" may request the RV-friendly marker on their specific information logo sign. An RV-friendly marker must consist of a design approved by the Federal Highway Administration. The department shall adopt rules in accordance with chapter 120 to administer this paragraph, including rules setting forth the minimum requirements that establishments must meet in order to qualify as RV-friendly. These requirements shall include large parking spaces, entrances, and exits that can easily accommodate recreational vehicles and facilities having appropriate overhead clearances, if applicable.

(c) The department may implement a 3-year rotation-based logo program providing for the removal and addition of participating businesses in the program.

(3) Logo signs may be installed upon the issuance of an annual permit by the department or its agent and payment of *a* ~~an application and~~ permit fee to the department or its agent.

(4) The department may contract pursuant to s. 287.057 for the provision of services related to the logo sign program, including recruitment and qualification of businesses, review of applications, permit issuance, and fabrication, installation, and maintenance of logo signs. The department may reject all proposals and seek another request for proposals or otherwise perform the work. ~~If the department contracts for the provision of services for the logo sign program, the contract must require, unless the business owner declines, that businesses that previously entered into agreements with the department to privately fund logo sign construction and installation be reimbursed by the contractor for the cost of the signs which has not been recovered through a previously agreed upon waiver of fees.~~ The contract also may allow the contractor to retain a portion of the annual fees as compensation for its services.

(5) Permit fees for businesses that participate in the program must be established in an amount sufficient to offset the total cost to the department for the program, including contract costs. The department shall provide the services in the most efficient and cost-effective manner through department staff or by contracting for some or all of the services. *The department shall adopt rules that set reasonable rates based upon factors such as population, traffic volume, market demand, and costs for annual permit fees. However, annual permit fees for sign locations inside an urban area, as defined in s. 334.03(32), may not exceed $5,000 and annual permit fees for sign locations outside an urban area, as defined in s. 334.03(32), may not exceed $2,500. After recovering program costs, the proceeds from the logo program shall be deposited into the State Transportation Trust Fund and used for transportation purposes.* ~~Such annual permit fee shall not exceed $1,250~~.

Section 44. *Business partnerships; display of names.—*

(1) School districts are encouraged to partner with local businesses for the purposes of mentorship opportunities, development of employment options and additional funding sources, and other mutual benefits.

(2) As a pilot program through June 30, 2011, the Palm Beach County School District may publicly display the names and recognitions of their business partners on school district property in unincorporated areas. Examples of appropriate business partner recognition include "Project Graduation" and athletic sponsorships. The district shall make every effort to display business partner names in a manner that is consistent with the county standards for uniformity in size, color, and placement of the signs. Whenever the provisions of this section are inconsistent with the provisions of the county ordinances or regulations relating to signs or the provisions of chapter 125, chapter 166, or chapter 479, Florida Statutes, in the unincorporated areas, the provisions of this section shall prevail.

Section 45. *Notwithstanding any provision of chapter 74-400, Laws of Florida, public funds may be used for the alteration of Old Cutler Road, between Southwest 136th Street and Southwest 184th Street, in the Village of Palmetto Bay.*

(1) The alteration may include the installation of sidewalks, curbing, and landscaping to enhance pedestrian access to the road.

(2) The official approval of the project by the Department of State must be obtained before any alteration is started.

Section 46. Subsection (1) of section 120.52, Florida Statutes, is amended to read:

120.52 Definitions.—As used in this act:

(1) "Agency" means:

(a) The Governor in the exercise of all executive powers other than those derived from the constitution.

(b) Each:

1. State officer and state department, and each departmental unit described in s. 20.04.

2. Authority, including a regional water supply authority.

3. Board, including the Board of Governors of the State University System and a state university board of trustees when acting pursuant to statutory authority derived from the Legislature.

4. Commission, including the Commission on Ethics and the Fish and Wildlife Conservation Commission when acting pursuant to statutory authority derived from the Legislature.

5. Regional planning agency.

6. Multicounty special district with a majority of its governing board comprised of nonelected persons.

7. Educational units.

8. Entity described in chapters 163, 373, 380, and 582 and s. 186.504.

(c) Each other unit of government in the state, including counties and municipalities, to the extent they are expressly made subject to this act by general or special law or existing judicial decisions.

This definition does not include any legal entity or agency created in whole or in part pursuant to chapter 361, part II, any metropolitan planning organization created pursuant to s. 339.175, any separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member, an expressway authority pursuant to chapter 348 or *any* transportation authority under *chapter 343 or* chapter 349, any legal or administrative entity created by an interlocal agreement pursuant to s. 163.01(7), unless any party to such agreement is otherwise an agency as defined in this subsection, or any multicounty special district with a majority of its governing board comprised of elected persons; however, this definition shall include a regional water supply authority.

Section 47. *The Legislature directs the Department of Transportation to establish an approved transportation methodology which recognizes that a planned, sustainable development of regional impact will likely achieve an internal capture rate greater than 30 percent when fully developed. The transportation methodology must use a regional transportation model that incorporates professionally accepted modeling techniques applicable to well-planned, sustainable communities of the size, location, mix of uses, and design features consistent with such communities. The adopted transportation methodology shall serve as the basis for sustainable development traffic impact assessments by the department. The methodology review must be completed and in use by March 1, 2009.*

Section 48. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Remove line 5 and insert: corridor; amending s. 20.23, F.S.; providing for the salary and benefits of the executive director of the Florida Transportation Commission to be set in accordance with the Senior Management Service; amending s. 125.42, F.S.; providing for counties to incur certain costs related to relocation or removal of certain utility facilities under specified circumstances; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing a timeframe for submission of certain information to the state land planning agency; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3178, F.S.; providing that certain port-related facilities are not developments of regional impact under certain circumstances; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; amending s. 287.055, F.S.; conforming a cross-reference; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; requiring certain vehicles to comply with specified federal standards to be driven in an HOV lane regardless of occupancy; revising provisions for issuance of a decal and certificate; providing for the Department of Highway Safety and Motor Vehicles to limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles under certain circumstances; directing the department to review a specified federal rule and make a report to the Legislature; exempting certain vehicles from the payment of certain tolls; amending s. 316.193, F.S.; revising the prohibition against driving under the influence of alcohol; revising the blood-alcohol or breath-alcohol level at which certain penalties apply; revising requirement for placement of an ignition interlock device; amending s. 316.302, F.S.; revising references to rules, regulations, and criteria governing commercial motor vehicles engaged in intrastate commerce; providing that the department performs duties assigned to the Field Administrator of the Federal Motor Carrier Safety Administration under the federal rules and may enforce those rules; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; revising the prohibition against a judge accepting a plea to a lesser offense from a person charged under certain DUI provisions; revising the blood-alcohol or breath-alcohol level at which the prohibition applies; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; provides exemptions; amending s. 337.0261, F.S.; revising the sunset date for the Strategic Aggregate Review Task Force; amending s. 337.11, F.S.; providing for the department to pay a portion of certain proposal development costs; requiring the department to advertise certain contracts as design-build contracts; amending ss. 337.14 and 337.16, F.S.; conforming cross-references; amending s. 337.18, F.S.; requiring the contractor to maintain a copy of the required payment and performance bond at certain locations and provide a copy upon request; providing that a copy may be obtained directly from the department; removing a provision requiring a copy be recorded in the public records of the county; amending s. 337.185, F.S.; providing for the State Arbitration Board to arbitrate certain claims relating to maintenance contracts; providing for a member of the board to be elected by maintenance companies as well as construction companies; amending s. 337.403, F.S.; providing for the department or local governmental entity to pay certain costs of removal or relocation of a utility facility that is found to be interfering with the use, maintenance, improvement, extension, or expansion of a public road or publicly owned rail corridor under described circumstances; amending s. 337.408, F.S.; providing for public pay telephones and advertising thereon to be installed within the right-of-way limits of any municipal, county, or state road; amending s. 338.01, F.S.; requiring new and replacement electronic toll collection systems to be interoperable with the department's system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the Florida Turnpike Enterprise to implement new technologies and processes in its operations and collection of tolls and other amounts; providing contract bid requirements for fuel and food on the turnpike system; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; revising provisions for establishing

and collecting tolls; authorizing collection of amounts to cover costs of toll collection and payment methods; requiring public notice and hearing; amending s. 339.12, F.S.; revising requirements for aid and contributions by governmental entities for transportation projects; revising limits under which the department may enter into an agreement with a county for a project or project phase not in the adopted work program; authorizing the department to enter into certain long-term repayment agreements; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; amending s. 479.01, F.S.; revising provisions for outdoor advertising; revising the definition of the term "automatic changeable facing"; amending s. 479.07, F.S.; revising a prohibition against signs on the State Highway System; revising requirements for display of the sign permit tag; directing the department to establish by rule a fee for furnishing a replacement permit tag; revising the pilot project for permitted signs to include Hillsborough County and areas within the boundaries of the City of Miami; amending s. 479.08, F.S.; revising provisions for denial or revocation of a sign permit; amending s. 479.156, F.S.; modifying local government control of the regulation of wall murals adjacent to certain federal highways; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; creating a business partnership pilot program; authorizing the Palm Beach County School District to display names of business partners on district property in unincorporated areas; exempting the program from specified provisions; authorizing the expenditure of public funds for certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; amending s. 120.52, F.S.; revising a definition; directing the Department of Transportation to establish an approved transportation methodology for certain purpose; providing requirements; providing effective dates.

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

CS for CS for SB 682 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Diaz de la Portilla	Peaden
Alexander	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Dean	Lynn	
Deutch	Margolis	

Nays—5

Aronberg	Fasano	Ring
Dockery	Oelrich	

Vote after roll call:

Yea to Nay—Crist

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2760, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 2760—A bill to be entitled An act relating to dentistry; amending s. 466.003, F.S.; providing a definition; amending s. 466.006, F.S.; revising the requirements for entitlement to take the necessary examinations to practice dentistry in this state; creating s. 466.0067, F.S.; providing requirements for application for a health access dental license in this state; creating s. 466.00671, F.S.; providing requirements for renewal of a health access dental license; creating s. 466.00672, F.S.; providing conditions in which the Board of Dentistry of the Department of Health may revoke a health access dental license; providing that the failure of a holder of a health access dental license to limit the practice of dentistry to health access settings is the unlicensed practice of dentistry; creating s. 466.00673, F.S.; providing for the repeal of statutory language regarding health access dental licensure; creating s. 466.00775, F.S.; requiring the board to adopt rules; amending s. 466.011, F.S.; conforming provisions to changes made in this act; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders to prescriptions; requiring a dental laboratory to keep the original or an electronic copy of prescriptions; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

House Amendment 2 (115465)(with title amendment)—Between lines 327 and 328, insert:

Section 11. Paragraph (b) of subsection (3) of section 466.007, Florida Statutes, is amended to read:

466.007 Examination of dental hygienists.—

(3) A graduate of a dental college or school shall be entitled to take the examinations required in this section to practice dental hygiene in this state if, in addition to the requirements specified in subsection (2), the graduate meets the following requirements:

(b) Successfully completes one or more courses, of a scope and duration approved and defined by board rule, that meet the requirements of law for instructing health care providers on the human immunodeficiency virus and acquired immune deficiency syndrome. In addition, the board may require an applicant who graduated from a nonaccredited dental college or school to successfully complete additional coursework, *only after failing the initial examination*, as defined by board rule, at an educational institution approved by the board or accredited as provided in subparagraph (2)(b)1. A graduate of a foreign dental college or school not accredited in accordance with s. 466.006(2)(b) may not take the coursework set forth in this paragraph until the board has approved the credentials required by paragraph (a).

And the title is amended as follows:

Remove line 39 and insert: certain dental laboratories; amending s. 466.007, F.S.; providing that certain applicants for examination for licensure as a dental hygienist be required to complete additional coursework only after failing to pass the initial examination; providing an effective date.

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

CS for CS for SB 2760 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—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for CS for HB 653 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

House Amendment 1 (161591) to Senate Amendment 1—(with directory and title amendments)

Remove lines 88-223 and insert:

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(d) Must provide scholarships, from eligible contributions, to eligible students for *the cost of*:

1. Tuition *and fees* ~~or textbook expenses~~ for~~, or transportation to,~~ an eligible private school~~. At least 75 percent of the scholarship funding must be used to pay tuition expenses~~; or

2. Transportation ~~expenses~~ to a Florida public school that is located outside the district in which the student resides or to a lab school as defined in s. 1002.32.

(i)*1. May use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated under this section for at least 3 state fiscal years and did not have any negative financial findings in its most recent audit under paragraph (l). Such administrative expenses must be reasonable and necessary for the organization's management and distribution of eligible contributions under this section. No more than one-third of the funds authorized for administrative expenses under this subparagraph may be used for expenses related to the recruitment of contributions from corporate taxpayers.*

2. Must expend for annual or partial-year scholarships an amount equal to or greater than 75 percent of the net eligible contributions remaining after administrative expenses during the state fiscal year in which such contributions are collected. No more than 25 percent of such net eligible contributions may be carried forward to the following state fiscal year. Any amounts carried forward shall be expended for ~~Must obligate, in the same fiscal year in which the contribution was received, 100 percent of the eligible contribution to provide~~ annual or partial-year scholarships~~; however, up to 25 percent of the total contribution may be carried forward for expenditure~~ in the following state fiscal year. *Net eligible contributions remaining on June 30 of each year that are in excess of the 25 percent that may be carried forward shall be returned to the State Treasury for deposit in the General Revenue Fund.*

3. ~~A scholarship-funding organization~~ Must, before granting a scholarship for an academic year, document each scholarship student's eligibility for that academic year. A scholarship-funding organization may not grant multiyear scholarships in one approval process. ~~No portion of eligible contributions may be used for administrative expenses. All interest accrued from contributions must be used for scholarships.~~

Any and all information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and must:

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the scholarship program to take one of the nationally norm-referenced tests identified by the Department of Education. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent and to the independent research organization selected by the Department of Education as described in paragraph (9)(j).

3. Cooperating with the scholarship student whose parent chooses to *have the student* participate in the statewide assessments pursuant to s. *1008.22* ~~1008.32~~.

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 of Education.

(11) SCHOLARSHIP AMOUNT AND PAYMENT.—

(a) The amount of a scholarship provided to any student for any single school year by an eligible nonprofit scholarship-funding organization from eligible contributions shall *be for total costs authorized under paragraph (6)(d),* not *to* exceed the following annual limits:

1. *Three thousand nine hundred fifty dollars* ~~Three thousand seven hundred fifty dollars~~ for a scholarship awarded to a student enrolled in an eligible private school *for the 2008-2009 state fiscal year and each fiscal year thereafter*.

2. Five hundred dollars for a scholarship awarded to a student enrolled in a Florida public school that is located outside the district in which the student resides or in a lab school as defined in s. 1002.32.

(b) Payment of the scholarship by the eligible

Remove lines 7-12 and insert: subsection (5), paragraphs (d) and (i) of subsection (6), paragraph (c) of subsection (8), and subsection (11) of section 220.187, Florida Statutes, are amended, and

And the title is amended as follows:

Remove lines 305-318 and insert: of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts; revising

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

HB 653 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Bullard	Haridopolos	Storms
Carlton	Hill	Villalobos
Constantine	Jones	Webster
Crist	King	Wise
Dawson	Lawson	
Dean	Lynn	

Nays—8

Aronberg	Joyner	Ring
Deutch	Justice	Wilson
Geller	Rich	

Vote after roll call:

Yea—Peaden

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed HB 7077 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

HB 7077—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for reporting, locating, recovering, and stabilizing missing children who are involved with the department; amending s. 39.0138, F.S.; specifying additional persons to be subject to a criminal history records check prior to placement of a child; requiring a criminal history records check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or the appropriate law enforcement agency to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for additional methods to report suspected child abuse, abandonment, and neglect of a child or to report a child who has exhibited inappropriate sexual behavior; amending s. 39.301, F.S.; conforming language relating to reporting suspected child abuse, abandonment, and neglect; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provisions relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; revising terminology; amending s. 39.401, F.S.; requiring a law enforcement officer who takes a child into custody to release such child to an adoptive parent of the child's sibling, if the sibling was previously adopted; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; requiring certain notice to foster and preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising procedures relating to diligent searches for missing parents and relatives; amending s. 39.504, F.S.; revising procedures related to injunctions pending disposition of petition issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; providing additional conditions for an injunction to protect a child from domestic violence; providing for process of service; authorizing law enforcement officers to exercise certain arrest powers; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; correcting a cross-reference; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; correcting cross-references; amending s. 39.621, F.S.; requiring that an adoptive parent of a child's sibling be given the opportunity to apply to adopt such child if the child is available for adoption; requiring that such application be given priority consideration if it is in the best interest of the child; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether or not they attended a prior hearing at which the hearing was announced; amending s. 63.0541, F.S.; permitting certain information contained in the Florida Putative Father Registry to be disclosed to the department; amending s. 322.142, F.S.; authorizing the department to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations and expediting the determination of eligibility for public assistance; amending s. 402.401; providing for administration of the Florida Child Welfare Student Loan Forgiveness Program by the Department of Children and Family Services rather than the Department of Education; authorizing loan reimbursement to certain eligible employees; revising loan eligibility requirements; directing the Department of Children and Family Services to adopt rules to administer the program; amending s. 409.1671, F.S.; providing for certain coverage in lieu of personal motor vehicle insurance for automobiles not owned by a lead agency that are used for agency business; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or the appropriate law enforcement agency be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending ss. 393.0661, 393.071, 393.125, 39.0015, 39.205, 39.302, 39.6011, 39.828, and 419.001, F.S.; conforming cross-references; amending s. 1, ch. 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing effective dates.

House Amendment 1 (590895) to Senate Amendment 1—Between lines 1295 and 1296, insert:

Section 31. *(1) Notwithstanding the provisions of s. 216.181(2)(f), Florida Statutes, the Legislative Budget Commission may consider the approval of a budget amendment for fiscal year 2008-2009 appropriations only, recommended by the Executive Office of the Governor and submitted by the Department of Children and Family Services, requesting additional trust fund authority for expenditures enhancing child protection and adoption.*

(2) This section is effective upon becoming a law.

And the title is amended as follows:

Remove line 1404 and insert: cross-references; permitting the Legislative Budget Commission to consider the approval of a budget amendment meeting certain requirements requesting additional trust fund authority for expenditures enhancing child protection and adoption during fiscal year 2008-2009; providing effective dates.

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

HB 7077 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Gaetz, the Senate reconsidered the vote by which—

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

—passed as amended in Messages this day.

House Amendment 2 (703899) to Senate Amendment 1—Between lines 277 and 278, insert:

(c) Identifies strategies to encourage private schools that accept scholarship students to participate in the statewide assessment program under s. 1008.22, Florida Statutes.

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

On motion by Senator Gaetz, **CS for CS for CS for HB 653** was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Atwater	Fasano	Oelrich
Baker	Gaetz	Peaden
Bennett	Garcia	Posey
Carlton	Haridopolos	Saunders
Constantine	Hill	Siplin
Crist	Jones	Storms
Dawson	King	Villalobos
Dean	Lawson	Webster

Nays—9

Aronberg	Geller	Rich
Bullard	Joyner	Ring
Deutch	Justice	Wilson

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Special Order Calendar for Friday, May 2, 2008: CS for SB 838, SB 1626, CS for CS for SB's 2086 and 2498, CS for SB 2272, CS for SB 2374, CS for SB 2494, CS for SB 2504, CS for CS for SB 2528

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

Ms. Faye Blanton May 2, 2008
Secretary of the Florida Senate

Dear Madam Secretary:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Board of Clinical Laboratory Personnel		
Appointee:	Madan, Nilia	10/31/2007
Board of Trustees of Brevard Community College		
Appointee:	Richey, James H.	05/31/2011
Board of Trustees of North Florida Community College		
Appointee:	Boatright, Johnie Walter, Jr.	05/31/2010
Board of Trustees of Santa Fe Community College		
Appointee:	Weingart, Breck A.	05/31/2007
Electrical Contractors' Licensing Board		
Appointee:	MacGowan, Sandra C.	10/31/2010
Council on Efficient Government		
Appointees:	Agrawal, Akhil K.	08/22/2007
	Evans, Steven L.	08/22/2007
Higher Educational Facilities Financing Authority		
Appointee:	Cotter, Richard	01/17/2011
Citrus County Hospital Board		
Appointee:	Langer, David	07/08/2010
Executive Director, Agency for Enterprise Information Technology		
Appointee:	Zingale, James A.	Pleasure of Governor and Cabinet
Florida Inland Navigation District		
Appointee:	Kavanagh, George L.	01/09/2011
Board of Nursing		
Appointees:	Kemp, Barbara R.	10/31/2007
	Kirkpatrick, Lavigne Ann	10/31/2007
Board of Optometry		
Appointee:	Underhill, Timothy E.	10/31/2011
Board of Pilot Commissioners		
Appointee:	Jones, Jeffrey L.	10/31/2007
Board of Podiatric Medicine		
Appointee:	Frisch, Dennis R.	10/31/2007
Northeast Florida Regional Planning Council, Region 4		
Appointee:	Stern, Karen R.	10/01/2007
Withlacoochee Regional Planning Council, Region 5		
Appointees:	Johnston, Joseph E. III	10/01/2007
	Powers, Linda B.	10/01/2009
Treasure Coast Regional Planning Council, Region 10		

Office and Appointment	*For Term Ending*
Appointee: Kanjian, Robert J.	10/01/2009
Jacksonville Port Authority	
Appointee: Fowler, Lloyd Buck	09/30/2007
Manasota Basin Board of the Southwest Florida Water Management District	
Appointee: Bispham, Paul J.	03/01/2008

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs 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 Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment	*For Term Ending*
Director, Agency for Persons with Disabilities	
Appointee: Johnson, Jane E.	Pleasure of Governor

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 and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment	*For Term Ending*
Secretary of Juvenile Justice	
Appointee: Parker, Jennifer A.	Pleasure of Governor

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 recommended confirmation but the appointee resigned and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment	*For Term Ending*
Governing Board of the Southwest Florida Water Management District	
Appointee: Whitehead, Judith C.	03/01/2011

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 recommended confirmation. The Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment	*For Term Ending*
Executive Director of Southwest Florida Water Management District	
Appointee: Moore, David L.	Pleasure of The Board

The Senate Committee on Ethics and Elections did not consider the following appointees because the terms of the appointments expired:

Akhil K. Agrawal; Paul J. Bispham; Steven L. Evans; Lloyd Buck Fowler; Dennis R. Frisch; Joesph E. Johnston III; Jeffrey L. Jones; Barbara R. Kemp; Lavigne Ann Kirkpatrick; Nilia Madan; Karen R. Stern; Breck A. Weingart

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 2008 Regular Session of the Florida Legislature:

Richard Cotter; Sandra C. MacGowan; Linda B. Powers; Timothy E. Underhill; James A. Zingale

The Senate Committee on Ethics and Elections did not consider the following appointments because the appointee resigned:

Johnie Walter Boatwright Jr.; Robert J. Kanjian; James H. Richey

The Senate Committee on Ethics and Elections did not consider the following appointee because the appointee is deceased:

George L. Kavanagh

The Senate Committee on Ethics and Elections recommended confirmation of the following appointment but the appointee was not acted on by the Senate upon adjournment of the 2008 Regular Session of the Florida Legislature:

David Langer

Respectfully submitted,
Lee Constantine, Chair

Ms. Faye Blanton May 2, 2008
Secretary of the Florida Senate

Dear Madam Secretary:

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2008 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 Ending*
Jacksonville Aviation Authority	
Pass, Deborah S.	01/23/2008
Secretary of Business and Professional Regulation	
Drago, Charles W.	02/22/2008
Board of Professional Engineers	
Garcia De Quevedo, Nola A.	02/12/2008
Board of Nursing Home Administrators	
Moore, Carolyn	12/06/2007

Respectfully submitted,
Lee Constantine, Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 951 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Jobs and Entrepreneurship Council; and Representative Schultz and others—

CS for HB 951—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; extending to importers and primary

American sources of supply, brand owners, and brand registrants, and brokers, sales agents, and sales persons thereof, the prohibition against providing certain financial assistance to retail vendors; defining the term "brand owner"; providing an effective date.

—was referred to the Committee on Regulated Industries.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 230, SB 366, CS for SB 502, CS for CS for SB 610, SB 642, CS for CS for CS for SB 996, CS for CS for SB 1648, CS for CS for SB 2082 and CS for SB 2326; receded from House Amendment 2 and passed CS for CS for SB 866; and adopted SM 2662.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2082, CS for CS for SB 2534 and CS for CS for CS for SB 2654 as amended; and concurred in Senate Amendment(s) to House Amendment(s) and passed CS for CS for SB 1906 as further amended.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 601, CS for HB 697, CS for CS for HB 745, CS for HB 909, CS for HB 1429, CS for HB 7059 and HB 7067 as amended.

William S. Pittman III, Chief Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 1 was corrected and approved.

CO-INTRODUCERS

Senators Atwater—SB 86, CS for SB 2048, SB 2232, SJR 2384; Baker—SB 626, CS for CS for SB 682, CS for CS for SB 992, CS for SB 1300, CS for CS for CS for SB 1544, CS for SB 1552, SB 1638, CS for CS for SB 2080; Crist—CS for CS for SB 482, SB 798, CS for CS for SB 1430; Lynn—CS for SB 790, SB 1022, CS for CS for SB 2308; Rich—CS for SB 790; Wilson—CS for SB 12

ADJOURNMENT

On motion by Senator King, the Senate adjourned sine die at 5:59 p.m.

BILL ACTION SUMMARY

FRIDAY, MAY 2, 2008

S	302	Refused to concur, requested House to recede
S	474	Amendment pending adopted as amended
S	682	Concurred; CS passed as amended 34-5 (162105)
S	838	Substituted HB 7113; Laid on Table, Link/Iden/Sim/Compare passed, refer to HB 7113
S	1276	Concurred; CS passed as amended 40-0 (965519, 925409, 657429, 511761)
S	1366	Read 2nd time; Adopted
S	1430	Read 3rd time; CS passed as amended 39-0 (676634)
S	1588	Concurred; CS passed as amended 40-0 (210103)
S	1604	Concurred (422051); CS passed as amended 38-0 (422051)
S	1626	Read 2nd time; Read 3rd time; Passed 37-1
S	1652	Refused to concur, requested House to recede
S	1712	Concurred; CS passed as amended 40-0 (562471)
S	1740	Read 2nd time; Adopted
S	1906	Amendment(s) to House amendment(s) adopted; Concurred in House amendment(s) as amended; CS passed as amended 38-0 (262658, 201987)
S	1908	Concurred; CS passed as amended 40-0 (981193)
S	1960	Read 2nd time; Adopted
S	2012	Concurred; CS passed as amended 39-0 (961399, 758247)
S	2082	Reconsidered; CS passed as amended 40-0 (593426, 553694)
S	2086	Read 2nd time; Substituted CS/CS/HB 601; Laid on Table, Link/Iden/Sim/Compare passed, refer to CS/CS/HB 601
S	2222	Concurred (042301); CS passed as amended 39-0 (042301)
S	2272	Substituted CS/HB 1037; Laid on Table, Link/Iden/Sim/Compare passed, refer to CS/HB 1037
S	2310	Concurred; CS passed as amended 40-0
S	2374	Substituted CS/HB 1417; Laid on Table, Link/Iden/Sim/Compare passed, refer to CS/HB 1417
S	2422	Concurred; CS passed as amended 40-0 (495503)
S	2494	Substituted CS/HB 1105; Laid on Table, Link/Iden/Sim/Compare passed, refer to CS/HB 1105
S	2504	Read 2nd time; Substituted CS/CS/HB 679; Laid on Table, Link/Iden/Sim/Compare passed, refer to CS/CS/HB 679
S	2534	Amendment(s) to House amendment(s) adopted; Concurred in House amendment(s) as amended; CS passed as amended 40-0 (700952, 364545)
S	2618	Amendment(s) to House amendment(s) adopted; Concurred in House amendment(s) as amended; CS passed as amended 40-0 (843570, 622583, 353396)
S	2654	Amendment(s) to House amendment(s) adopted; Concurred in House amendment(s) as amended; CS passed as amended 40-0 (697284, 370293); Refused to concur, requested House to recede
S	2760	Concurred (115465); CS passed as amended 40-0 (115465)
S	2864	Substituted CS/HB 951; Laid on Table, Link/Iden/Sim/Compare passed, refer to CS/HB 951
S	2958	Read 2nd time; Adopted
S	2968	Read 2nd time; Adopted
S	2970	Read 2nd time; Adopted
S	3000	Read 2nd time; Adopted
S	3002	Read 2nd time; Adopted
S	3018	Read 2nd time; Adopted
S	3022	Read 2nd time; Adopted
S	3024	Read 2nd time; Adopted
S	3026	Read 2nd time; Adopted
H	197	Reconsidered; CS passed as amended 39-0 (148310, 129782)
H	601	Substituted for CS/CS/SB 2086, SB 2498; Read 2nd time; Read 3rd time; CS passed as amended 40-0 (465352, 227610, 040578)
H	653	Read 3rd time; CS passed as amended 29-11; Concurred; CS passed as amended 31-8 (703899); Reconsidered; Concurred (703899); CS passed as amended 29-8 (703899)
H	679	Substituted for CS/SB 2504; Read 2nd time; Read 3rd time; CS passed as amended 38-0 (317014, 281852, 195742, 118292, 074374)
H	739	Concurred (358051); CS passed as amended 40-0 (358051)
H	745	Amendment(s) to House amendment(s) adopted (792204, 289389); Concurred in House amendment(s) as amended (792204, 289389); CS passed as amended 38-2 (792204, 289389)
H	951	Substituted for CS/SB 2864; Read 2nd and 3rd times; CS passed 36-2
H	1037	Substituted for CS/SB 2272; Read 2nd and 3rd times; CS passed 40-0
H	1059	Receded; CS passed 35-4
H	1105	Substituted for CS/SB 2494; Read 2nd and 3rd times; CS passed 40-0
H	1417	Substituted for CS/SB 2374; Read 2nd and 3rd times; CS passed 40-0
H	5001	Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 32-8 (137461)

H 5003 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 33-7 (179107)
H 5043 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 36-2 (347991)
H 5045 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 38-2 (711627)
H 5047 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (676113)
H 5049 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (332537)
H 5051 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (229817)
H 5057 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (296355)
H 5059 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (512669)
H 5061 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (799199)
H 5063 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (011303)
H 5067 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 38-1 (790847)
H 5071 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (337579)
H 5073 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 40-0 (458525)
H 5083 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 28-9 (492641)
H 5085 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 26-13 (100637)
H 5087 Conference Committee Report received; Conference Committee Report adopted; Passed as amended by Conference Committee Report 25-15
H 7067 Amendment(s) to House amendment(s) adopted; Concurred in House amendment(s) as amended; Passed as amended 40-0 (946918, 853650, 515614, 428985, 045342)
H 7077 Concurred; Passed as amended 40-0 (590895)
H 7097 Read 2nd time; Read 3rd time; CS passed 39-1
H 7113 Substituted for CS/SB 838; Read 2nd and 3rd times; Passed 40-0

The following local bill was passed: SB 54 as amended.

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May 2, 2008

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