

By Senator Haridopolos

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1 A bill to be entitled
2 An act relating to obsolete or outdated agency plans,
3 reports, and programs; repealing s. 14.25, F.S.,
4 relating to the Florida State Commission on Hispanic
5 Affairs; amending s. 14.26, F.S.; revising reporting
6 requirements of the Citizen's Assistance Office;
7 repealing s. 14.27, F.S., relating to the Florida
8 Commission on African-American Affairs; repealing s.
9 16.58, F.S., relating to the Florida Legal Resource
10 Center; amending s. 17.32, F.S.; revising the
11 recipients of the annual report of trust funds by the
12 Chief Financial Officer; amending s. 17.325, F.S.;
13 deleting a reporting requirement relating to the
14 governmental efficiency hotline; amending s. 20.057,
15 F.S.; deleting a reporting requirement of the Governor
16 relating to interagency agreements to delete
17 duplication of inspections; repealing s. 20.316(4)(e),
18 (f), and (g), F.S., relating to information systems of
19 the Department of Juvenile Justice; amending s. 20.43,
20 F.S.; revising provisions relating to planning by the
21 Department of Health; amending s. 39.4086, F.S.;
22 deleting provisions relating to a report by the State
23 Courts Administrator on a guardian ad litem program
24 for dependent children; amending s. 98.255, F.S.;
25 deleting provisions relating to a report on the
26 effectiveness of voter education programs; amending s.
27 110.1227, F.S.; revising provisions relating to a
28 report by the board of directors of the Florida Long-
29 Term-Care Plan; amending s. 120.542, F.S.; deleting

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30 provisions relating to reports of petitions filed for
31 variances to agency rules; amending s. 121.45, F.S.;
32 deleting provisions relating to reports on interstate
33 compacts relating to pension portability; repealing s.
34 153.952, F.S., relating to legislative findings and
35 intent concerning privately owned wastewater systems
36 and facilities; amending s. 161.053, F.S.; deleting a
37 provision relating to a report on the coastal
38 construction control line; amending s. 161.161, F.S.;
39 deleting a provision requiring a report on funding for
40 beach erosion control; repealing s. 163.2526, F.S.,
41 relating to the review and evaluation of urban infill;
42 amending s. 163.3167, F.S.; deleting provisions
43 relating to local government comprehensive plans;
44 amending s. 163.3177, F.S.; revising requirements for
45 comprehensive plans; amending s. 163.3178, F.S.;
46 deleting a duty of the Coastal Resources Interagency
47 Management Committee to submit certain
48 recommendations; repealing s. 163.519(12), F.S.,
49 relating to the requirement for a report on
50 neighborhood improvement districts by the Department
51 of Legal Affairs; repealing s. 186.007(9), F.S.;
52 deleting provisions relating to a committee to
53 recommend to the Governor changes in the state
54 comprehensive plan; amending ss. 189.4035 and 189.412,
55 F.S.; revising requirements relating to dissemination
56 of the official list of special districts; amending s.
57 194.034, F.S.; deleting a requirement that the
58 Department of Revenue be notified of certain decisions

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59 of value adjustment boards; amending s. 206.606, F.S.;

60 revising provisions relating to a report on the

61 Florida Boating Improvement Program; amending s.

62 212.054, F.S.; deleting the requirement for a report

63 on costs of administering the discretionary sales

64 surtax; amending s. 212.08, F.S.; deleting a

65 requirement for a report on the sales tax exemption

66 for machinery and equipment used in semiconductor,

67 defense, or space technology production and research

68 and development; repealing s. 213.0452, F.S., relating

69 to a report on the structure of the Department of

70 Revenue; repealing s. 213.054, F.S., relating to

71 monitoring and reporting regarding persons claiming

72 tax exemptions; amending s. 215.70, F.S.; requiring

73 the State Board of Administration to report to the

74 Governor when funds need to be appropriated to honor

75 the full faith and credit of the state; amending s.

76 216.011, F.S.; redefining the term "long-range program

77 plan"; repealing s. 216.181(10)(c), F.S., relating to

78 reports of filled and vacant positions and salaries;

79 amending s. 252.55, F.S.; revising certain reporting

80 requirements relating to the Civil Air Patrol;

81 amending s. 253.7825, F.S.; deleting provisions

82 relating to the plan for the Cross Florida Greenways

83 State Recreation and Conservation Area; repealing s.

84 253.7826, F.S., relating to structures of the Cross

85 Florida Barge Canal; repealing s. 253.7829, F.S.,

86 relating to a management plan for retention or

87 disposition of lands of the Cross Florida Barge Canal;

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88 amending s. 259.037, F.S.; revising provisions
89 relating to a report of the Land Management Uniform
90 Accounting Council; repealing s. 267.074(4), F.S.,
91 relating to a plan for the State Historical Marker
92 Program; repealing s. 284.50(3), F.S., relating to a
93 requirement for a report by the Interagency Advisory
94 Council on Loss Prevention and certain department
95 heads; repealing s. 287.045(11), F.S., relating to a
96 requirement for reports on use of recycled products;
97 amending s. 287.059, F.S.; deleting a requirement for
98 reporting proposed fee schedules for private attorney
99 services for the Attorney General's office; repealing
100 s. 288.108(7), F.S., relating to a requirement for a
101 report by the Office of Tourism, Trade, and Economic
102 Development on high-impact businesses; repealing s.
103 288.1185, F.S., relating to the Recycling Markets
104 Advisory Committee; amending s. 288.1229, F.S.;
105 revising duties of the direct-support organization to
106 support sports-related industries and amateur
107 athletics; repealing s. 288.7015(4), F.S., relating to
108 a requirement for a report by the rules ombudsman in
109 the Executive Office of the Governor; amending s.
110 288.7771, F.S.; revising a reporting requirement of
111 the Florida Export Finance Corporation; repealing s.
112 288.8175(8), (10), and (11), F.S., relating to certain
113 responsibilities of the Department of Education with
114 respect to linkage institutes between postsecondary
115 institutions in this state and foreign countries;
116 repealing s. 288.853(5), F.S., relating to the

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117 requirement for a report on assistance to and commerce
118 with Cuba; amending s. 288.95155, F.S.; revising
119 requirements for a report by Enterprise Florida, Inc.,
120 on the Florida Small Business Technology Growth
121 Program; amending s. 288.9604, F.S.; deleting a
122 requirement for a report by the Florida Development
123 Finance Corporation; amending s. 288.9610, F.S.;
124 revising provisions relating to annual reporting by
125 the corporation; amending s. 292.05, F.S.; revising
126 requirements relating to a report by the Department of
127 Veterans' Affairs; repealing ss. 296.16 and 296.39,
128 F.S., relating to reports by the executive director of
129 the Department of Veterans' Affairs; repealing s.
130 315.03(12)(c), F.S., relating to legislative review of
131 a loan program of the Florida Seaport Transportation
132 and Economic Development Council; amending s. 319.324,
133 F.S.; deleting provisions relating to funding a report
134 on odometer fraud prevention and detection; repealing
135 s. 322.181, F.S., relating to a study by the
136 Department of Highway Safety and Motor Vehicles on
137 driving by the elderly; repealing s. 322.251(7)(c),
138 F.S., relating to a plan to indemnify persons wanted
139 for passing worthless bank checks; amending s.
140 373.0391, F.S.; deleting provisions relating to
141 provision of certain information by water management
142 districts; amending s. 373.046, F.S.; deleting an
143 obsolete provision requiring a report by the Secretary
144 of Environmental Protection; repealing s. 376.121(14),
145 F.S., relating to a report by the Department of

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146 Environmental Protection on damage to natural
147 resources; repealing s. 376.17, F.S., relating to
148 reports of the department to the Legislature;
149 repealing s. 376.30713(5), F.S., relating to a report
150 on preapproved advanced cleanup; amending s. 379.2211,
151 F.S.; revising provisions relating to a report by the
152 Fish and Wildlife Conservation Commission on waterfowl
153 permit revenues; amending s. 379.2212, F.S.; revising
154 provisions relating to a report by the commission on
155 wild turkey permit revenues; repealing s. 379.2523(8),
156 F.S., relating to duties of the Fish and Wildlife
157 Conservation Commission concerning an aquaculture
158 plan; amending s. 380.06, F.S.; deleting provisions on
159 transmission of revisions relating to statewide
160 guidelines and standards for developments of regional
161 impact; repealing s. 380.0677(3), F.S., relating to
162 powers of the Green Swamp Land Authority; repealing s.
163 381.0011(3), F.S., relating to an inclusion in the
164 Department of Health's strategic plan; repealing s.
165 381.0036, F.S., relating to planning for
166 implementation of educational requirements concerning
167 HIV and AIDS; repealing s. 381.731, F.S., relating to
168 strategic planning of the Department of Health;
169 amending s. 381.795, F.S.; deleting provisions
170 relating to studies by the Department of Health on
171 long-term, community-based supports; amending s.
172 381.931, F.S.; deleting provisions relating to the
173 duty of the Department of Health to develop a report
174 on Medicaid expenditures; amending s. 383.19, F.S.;

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175 revising provisions relating to reports by hospitals
176 contracting to provide perinatal intensive care
177 services; repealing s. 383.21, F.S., relating to
178 reviews of perinatal intensive care service programs;
179 amending s. 383.2161, F.S.; revising requirements
180 relating to a report by the Department of Health on
181 maternal and child health; repealing s. 394.4573(4),
182 F.S., relating to the requirement for a report by the
183 Department of Children and Family Services on staffing
184 state mental health facilities; amending s. 394.4985,
185 F.S.; deleting provisions relating to plans by
186 department districts; repealing s. 394.82, F.S.,
187 relating to the funding of expanded community mental
188 health services; repealing s. 394.9082(9), F.S.,
189 relating to reports on contracting with behavioral
190 health management entities; repealing s. 394.9083,
191 F.S., relating to the Behavioral Health Services
192 Integration Workgroup; repealing s. 395.807(2)(c),
193 F.S., relating to requirements for a report on the
194 retention of family practice residents; repealing s.
195 397.332(3), F.S., relating to the requirement for a
196 report by the director of the Office of Drug Control;
197 amending s. 397.333, F.S.; deleting the requirement
198 for a report by the Statewide Drug Policy Advisory
199 Council; repealing s. 397.94(1), F.S., relating to
200 children's substance abuse services plans by service
201 districts of the Department of Children and Family
202 Services; repealing s. 400.148(2), F.S., relating to a
203 pilot program of the Agency for Health Care

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204 Administration for a quality-of-care contract
205 management program; amending s. 400.967, F.S.;

206 deleting provisions relating to a report by the Agency
207 for Health Care Administration on intermediate care
208 facilities for developmentally disabled persons;

209 repealing s. 402.3016(3), F.S., relating to the
210 requirement for a report by the agency on Early Head
211 Start collaboration grants; repealing s. 402.40(9),
212 F.S., relating to submission to the Legislature of
213 certain information related to child welfare training;

214 amending s. 403.4131, F.S.; deleting provisions
215 relating to a report on the adopt-a-highway program;

216 repealing s. 406.02(4)(a), F.S., relating to the
217 requirement for a report by the Medical Examiners
218 Commission; amending s. 408.033, F.S.; revising
219 provisions relating to reports by local health
220 councils; repealing s. 408.914(4), F.S., relating to
221 the requirement of the Agency for Health Care
222 Administration to submit to the Governor a plan on the
223 comprehensive health and human services eligibility
224 access system; repealing s. 408.915(3)(i), F.S.,
225 relating to the requirement for periodic reports on
226 the pilot program for such access; repealing s.
227 408.917, F.S., relating to an evaluation of the pilot
228 project; amending s. 409.1451, F.S.; revising
229 requirements relating to reports on independent living
230 transition services; repealing s. 409.152, F.S.,
231 relating to service integration and family
232 preservation; repealing s. 409.1679(1) and (2), F.S.,

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233 relating to reports concerning residential group care
234 services; amending s. 409.1685, F.S.; revising
235 provisions relating to reports by the Department of
236 Children and Family Services on children in foster
237 care; repealing s. 409.221(4)(k), F.S., relating to
238 reports on consumer-directed care; amending s.
239 409.25575, F.S.; deleting provisions relating to a
240 report by the Department of Revenue regarding a
241 quality assurance program for privatization of
242 services; amending s. 409.2558, F.S.; deleting
243 provisions relating to the Department of Revenue's
244 solicitation of recommendations related to a rule on
245 undistributable collections; repealing s. 409.441(3),
246 F.S., relating to the state plan for the handling of
247 runaway youths; amending s. 409.906, F.S.; deleting a
248 requirement for reports of child-welfare-targeted case
249 management projects; amending s. 409.912, F.S.;
250 revising provisions relating to duties of the agency
251 with respect to cost-effective purchasing of health
252 care; repealing s. 410.0245, F.S., relating to a study
253 of service needs of the disabled adult population;
254 repealing s. 410.604(10), F.S., relating to a
255 requirement for the Department of Children and Family
256 Services to evaluate the community care for disabled
257 adults program; amending s. 411.0102, F.S.; deleting
258 provisions relating to use of child care purchasing
259 pool funds; repealing s. 411.221, F.S., relating to
260 prevention and early assistance; repealing s. 411.242,
261 F.S., relating to the Florida Education Now and Babies

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262 Later program; amending s. 414.14, F.S.; deleting a
263 provision relating to a report by the Secretary of
264 Children and Family Services on public assistance
265 policy simplification; repealing s. 414.36(1), F.S.,
266 relating to a plan for privatization of recovery of
267 public assistance overpayment claims; repealing s.
268 414.391(3), F.S., relating to a plan for automated
269 fingerprint imaging; amending s. 415.1045, F.S.;
270 deleting a requirement for a study by the Office of
271 Program Policy Analysis and Government Accountability
272 on documentation of exploitation, abuse, or neglect;
273 amending s. 420.622, F.S.; revising requirements
274 relating to a report by the State Council on
275 Homelessness; repealing s. 420.623(4), F.S., relating
276 to the requirement of a report by the Department of
277 Community Affairs on homelessness; amending s.
278 427.704, F.S.; revising requirements relating to a
279 report by the Public Service Commission on a
280 telecommunications access system; amending s. 427.706,
281 F.S.; revising requirements relating to a report by
282 the advisory committee on telecommunications access;
283 amending s. 429.07, F.S.; deleting provisions relating
284 to a report by the Department of Elderly Affairs on
285 extended congregate care facilities; repealing s.
286 429.08(2), F.S., relating to local workgroups of field
287 offices of the Agency for Health Care Administration;
288 amending s. 429.41, F.S.; deleting provisions relating
289 to a report concerning standards for assisted living
290 facilities; amending s. 430.04, F.S.; revising duties

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291 of the Department of Elderly Affairs with respect to
292 certain reports and recommendations; amending s.
293 430.502, F.S.; revising requirements with respect to
294 reports by the Alzheimer's Disease Advisory Committee;
295 amending s. 445.006, F.S.; deleting provisions
296 relating to a strategic plan for workforce
297 development; repealing s. 455.204, F.S., relating to
298 long-range policy planning in the Department of
299 Business and Professional Regulation; repealing s.
300 455.2226(8), F.S., relating to the requirement of a
301 report by the Board of Funeral Directors and
302 Embalmers; repealing s. 455.2228(6), F.S., relating to
303 the requirement of reports by the Barbers' Board and
304 the Board of Cosmetology; amending s. 456.005, F.S.;
305 revising requirements relating to long-range planning
306 by professional boards; amending s. 456.025, F.S.;
307 revising requirements relating to a report to
308 professional boards by the Department of Health;
309 repealing s. 456.034(6), F.S., relating to reports by
310 professional boards about HIV and AIDS; amending s.
311 517.302, F.S.; deleting a requirement for a report by
312 the Office of Financial Regulation on deposits into
313 the Anti-Fraud Trust Fund; repealing s. 531.415(3),
314 F.S., relating to the requirement of a report by the
315 Department of Agriculture and Consumer Services on
316 fees; repealing s. 570.0705(3), F.S., relating to the
317 requirement of a report by the Commissioner of
318 Agriculture concerning advisory committees; repealing
319 s. 570.0725(5), F.S., relating to a report by the

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320 Department of Agriculture and Consumer Services
321 concerning support for food recovery programs;
322 repealing s. 570.543(3), F.S., relating to legislative
323 recommendations of the Florida Consumers' Council;
324 amending s. 603.204, F.S.; revising requirements
325 relating to the South Florida Tropical Fruit Plan;
326 amending s. 627.64872, F.S.; deleting provisions
327 relating to an interim report by the board of
328 directors of the Florida Health Insurance Plan;
329 prohibiting the board from acting to implement the
330 plan until certain funds are appropriated; amending s.
331 744.708, F.S.; revising provisions relating to audits
332 of public guardian offices and to reports concerning
333 those offices; amending s. 768.295, F.S.; revising
334 duties of the Attorney General relating to reports
335 concerning "SLAPP" lawsuits; amending s. 775.084,
336 F.S.; deleting provisions relating to sentencing of
337 violent career criminals and to reports of judicial
338 actions with respect thereto; amending s. 790.22,
339 F.S.; deleting provisions relating to reports by the
340 Department of Juvenile Justice concerning certain
341 juvenile offenses that involve weapons; amending s.
342 943.125, F.S.; deleting provisions relating to reports
343 by the Florida Sheriffs Association and the Florida
344 Police Chiefs Association concerning law enforcement
345 agency accreditation; amending s. 943.68, F.S.;
346 revising requirements relating to reports by the
347 Department of Law Enforcement concerning
348 transportation and protective services; amending s.

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349 944.023, F.S.; adding a cross-reference; amending s.
350 944.801, F.S.; deleting a requirement to deliver to
351 specified officials copies of certain reports
352 concerning education of state prisoners; repealing s.
353 945.35(10), F.S., relating to the requirement of a
354 report by the Department of Corrections concerning HIV
355 and AIDS education; repealing s. 958.045(9), F.S.,
356 relating to a report by the department concerning
357 youthful offenders; amending s. 960.045, F.S.;
358 revising requirements relating to reports by the
359 Department of Legal Affairs with respect to victims of
360 crimes; repealing s. 985.02(8)(c), F.S., relating to
361 the requirement of a study by the Office of Program
362 Policy Analysis and Government Accountability on
363 programs for young females within the Department of
364 Juvenile Justice; amending s. 985.047, F.S.; deleting
365 provisions relating to a plan by a multiagency task
366 force on information systems related to delinquency;
367 amending s. 985.47, F.S.; deleting provisions relating
368 to a report on serious or habitual juvenile offenders;
369 amending s. 985.483, F.S.; deleting provisions
370 relating to a report on intensive residential
371 treatment for offenders younger than 13 years of age;
372 repealing s. 985.61(5), F.S., relating to a report by
373 the Department of Juvenile Justice on early
374 delinquency intervention; amending s. 985.622, F.S.;
375 deleting provisions relating to submission of the
376 multiagency plan for vocational education; repealing
377 s. 985.632(7), F.S., relating to a report by the

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378 Department of Juvenile Justice on funding incentives
379 and disincentives; repealing s. 1002.34(19), F.S.,
380 relating to an evaluation and report by the
381 Commissioner of Education concerning charter technical
382 career centers; repealing s. 1003.61(4), F.S.,
383 relating to evaluation of a pilot attendance project
384 in Manatee County; amending s. 1004.22, F.S.; deleting
385 provisions relating to university reports concerning
386 sponsored research; repealing s. 1004.50(6), F.S.,
387 relating to the requirement of a report by the
388 Governor concerning unmet needs in urban communities;
389 repealing s. 1004.94(2) and (4), F.S., relating to
390 guidelines for and a report on plans for a state adult
391 literacy program; amending s. 1004.95, F.S.; revising
392 requirements relating to implementing provisions for
393 adult literacy centers; repealing s. 1006.0605, F.S.,
394 relating to students' summer nutrition; repealing s.
395 1006.67, F.S., relating to a report of campus crime
396 statistics; amending s. 1009.70, F.S.; deleting
397 provisions relating to a report on a minority law
398 school scholarship program; amending s. 1011.32, F.S.;
399 requiring the Governor to be given a copy of a report
400 related to the Community College Facility Enhancement
401 Challenge Grant Program; amending s. 1011.62, F.S.;
402 deleting provisions relating to recommendations for
403 implementing the extended-school-year program;
404 repealing s. 1012.05(2)(1), F.S., relating to a plan
405 concerning teacher recruitment and retention; amending
406 s. 1012.42, F.S.; deleting provisions relating to a

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407 plan of assistance for teachers teaching out-of-field;
408 amending s. 1013.11, F.S.; deleting provisions
409 relating to transmittal of a report on physical plant
410 safety; amending ss. 161.142, 163.065, 163.2511,
411 163.2514, 163.3202, 259.041, 259.101, 369.305,
412 379.2431, 381.732, 381.733, 411.01, 411.232, and
413 445.006, F.S., conforming cross-references to changes
414 made by the act; amending s. 1001.42, F.S.; deleting
415 provisions that require each district school board to
416 reduce paperwork and data collection and report its
417 findings and potential solutions on reducing burdens
418 associated with such collection; amending s. 1008.31,
419 F.S.; requiring that the Commissioner of Education
420 monitor and review the collection of paperwork, data,
421 and reports by school districts; requiring that the
422 commissioner complete an annual review of such
423 collection by a specified date each year; requiring
424 that the commissioner prepare a report, by a specified
425 date each year, assisting the school districts with
426 eliminating or consolidating paperwork, data, and
427 reports by providing suggestions, technical
428 assistance, and guidance; providing an effective date.

429

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

431

432 Section 1. Section 14.25, Florida Statutes, is repealed.

433 Section 2. Subsection (3) of section 14.26, Florida

434 Statutes, is amended to read:

435 14.26 Citizen's Assistance Office.—

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436 (3) The Citizen's Assistance Office shall report ~~make~~
437 ~~quarterly reports~~ to the Governor on, ~~which shall include:~~

438 (a) The number of complaints and investigations ~~and~~
439 ~~complaints made during the preceding quarter~~ and the disposition
440 of such investigations.

441 ~~(b) Recommendations in the form of suggested legislation or~~
442 ~~suggested procedures for the alleviation of problems disclosed~~
443 ~~by investigations.~~

444 ~~(b)(c) A report including statistics which reflect~~ The
445 types of complaints made and an assessment as to the cause of
446 the complaints.

447 (c) Recommendations for the alleviation of the cause of
448 complaints disclosed by investigations.

449 (d) ~~Such~~ Other information as the Executive Office of the
450 Governor shall require.

451 Section 3. Section 14.27, Florida Statutes, is repealed.

452 Section 4. Section 16.58, Florida Statutes, is repealed.

453 Section 5. Subsection (1) of section 17.32, Florida
454 Statutes, is amended to read:

455 17.32 Annual report of trust funds; duties of Chief
456 Financial Officer.—

457 (1) On February 1 of each year, the Chief Financial Officer
458 shall present to the Governor and the Legislature ~~President of~~
459 ~~the Senate and the Speaker of the House of Representatives~~ a
460 report listing all trust funds as defined in s. 215.32. The
461 report must ~~shall~~ contain the following data elements for each
462 fund for the preceding fiscal year:

463 (a) The fund code.

464 (b) The title.

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465 (c) The fund type according to generally accepted
466 accounting principles.

467 (d) The statutory authority.

468 (e) The beginning cash balance.

469 (f) Direct revenues.

470 (g) Nonoperating revenues.

471 (h) Operating disbursements.

472 (i) Nonoperating disbursements.

473 (j) The ending cash balance.

474 (k) The department and budget entity in which the fund is
475 located.

476 Section 6. Subsection (1) of section 17.325, Florida
477 Statutes, is amended to read:

478 17.325 Governmental efficiency hotline; duties of Chief
479 Financial Officer.—

480 (1) The Chief Financial Officer shall establish and operate
481 a statewide toll-free telephone hotline to receive information
482 or suggestions from the residents ~~citizens~~ of this state on how
483 to improve the operation of government, increase governmental
484 efficiency, and eliminate waste in government. ~~The Chief
485 Financial Officer shall report each month to the appropriations
486 committee of the House of Representatives and of the Senate the
487 information or suggestions received through the hotline and the
488 evaluations and determinations made by the affected agency, as
489 provided in subsection (3), with respect to such information or
490 suggestions.~~

491 Section 7. Section 20.057, Florida Statutes, is amended to
492 read:

493 20.057 Interagency agreements to delete duplication of

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494 inspections.-

495 (1) The Governor shall direct any department, the head of
496 which is an officer or board appointed by and serving at the
497 pleasure of the Governor, to enter into an interagency agreement
498 to that will eliminate duplication of inspections among ~~the~~
499 departments that inspect the same type of facility or structure.
500 Parties to the agreement may include departments ~~which are~~
501 headed by a Cabinet officer, the Governor and Cabinet, or a
502 collegial body. The agreement shall:

503 (a) Authorize agents of one department to conduct
504 inspections required to be performed by another department.

505 (b) Specify that agents of the department conducting the
506 inspection have all powers relative to the inspection as the
507 agents of the department on whose behalf the inspection is being
508 conducted.

509 (c) Require that agents of the department conducting the
510 inspection have sufficient knowledge of statutory and
511 administrative inspection requirements to conduct a proper
512 inspection.

513 (d) Specify that the departments entering ~~which have~~
514 ~~entered~~ into the agreement may not ~~neither~~ charge or ~~nor~~ accept
515 ~~any~~ funds with respect to duties performed under the agreement
516 which are in excess of the direct costs of conducting the ~~such~~
517 inspections.

518 (2) Before taking effect, an agreement entered into under
519 this section must be approved by the Governor. Inspections
520 conducted under an agreement are ~~shall be deemed~~ sufficient for
521 enforcement purposes pursuant to the agreement or as otherwise
522 provided by law.

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523 ~~(2) No later than 60 days prior to the beginning of the~~
524 ~~regular session, the Governor shall make an annual report to the~~
525 ~~President of the Senate and the Speaker of the House of~~
526 ~~Representatives regarding interagency agreements. The report~~
527 ~~shall identify each interagency agreement entered into under~~
528 ~~this section, and, for each agreement, shall describe the~~
529 ~~duplication eliminated, provide data that measures the~~
530 ~~effectiveness of inspections conducted under the interagency~~
531 ~~agreement, and estimate the cost savings that have resulted from~~
532 ~~the agreement. The report shall also describe obstacles~~
533 ~~encountered by any department in attempting to develop an~~
534 ~~interagency agreement and in performing duties resulting from an~~
535 ~~interagency agreement and shall recommend appropriate remedial~~
536 ~~legislative action.~~

537 Section 8. Paragraphs (e), (f), and (g) of subsection (4)
538 of section 20.316, Florida Statutes, are repealed.

539 Section 9. Paragraph (1) of subsection (1) of section
540 20.43, Florida Statutes, is amended to read:

541 20.43 Department of Health.—There is created a Department
542 of Health.

543 (1) The purpose of the Department of Health is to promote
544 and protect the health of all residents and visitors in the
545 state through organized state and community efforts, including
546 cooperative agreements with counties. The department shall:

547 (1) Include in its long-range program ~~the department's~~
548 ~~strategie~~ plan developed under s. 186.021 an assessment of
549 current health programs, systems, and costs; projections of
550 future problems and opportunities; and recommended changes that
551 are needed in the health care system to improve the public

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552 health.

553 Section 10. Paragraph (h) of subsection (2) of section
554 39.4086, Florida Statutes, is amended to read:

555 39.4086 Pilot program for attorneys ad litem for dependent
556 children.—

557 (2) RESPONSIBILITIES.—

558 (h) The Office of the State Courts Administrator shall
559 conduct research and gather statistical information to evaluate
560 the establishment, operation, and impact of the pilot program in
561 meeting the legal needs of dependent children. In assessing the
562 effects of the pilot program, including achievement of outcomes
563 identified under paragraph (b), the evaluation must include a
564 comparison of children within the Ninth Judicial Circuit who are
565 appointed an attorney ad litem with those who are not. ~~The~~
566 ~~office shall submit a report to the Legislature and the Governor~~
567 ~~by October 1, 2001, and by October 1, 2002, regarding its~~
568 ~~findings. The office shall submit a final report by October 1,~~
569 ~~2003, which must include an evaluation of the pilot program;~~
570 ~~findings on the feasibility of a statewide program; and~~
571 ~~recommendations, if any, for locating, establishing, and~~
572 ~~operating a statewide program.~~

573 Section 11. Subsections (1) and (3) of section 98.255,
574 Florida Statutes, are amended to read:

575 98.255 Voter education programs.—

576 (1) ~~By March 1, 2002,~~ The Department of State shall adopt
577 rules prescribing minimum standards for nonpartisan voter
578 education. ~~In developing the rules, the department shall review~~
579 ~~current voter education programs within each county of the~~
580 ~~state. The standards shall, at a minimum, address, but are not~~

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581 ~~limited to, the following subjects:~~

582 (a) Voter registration;

583 (b) Balloting procedures, absentee and polling place;

584 (c) Voter rights and responsibilities;

585 (d) Distribution of sample ballots; and

586 (e) Public service announcements.

587 (3)~~(a)~~ By December 15 of each general election year, each
588 supervisor of elections shall report to the Department of State
589 a detailed description of the voter education programs
590 implemented and any other information that may be useful in
591 evaluating the effectiveness of voter education efforts.

592 ~~(b) The Department of State, upon receipt of such~~
593 ~~information, shall prepare a public report on the effectiveness~~
594 ~~of voter education programs and shall submit the report to the~~
595 ~~Governor, the President of the Senate, and the Speaker of the~~
596 ~~House of Representatives by January 31 of each year following a~~
597 ~~general election.~~

598 ~~(c)~~ The department ~~of State~~ shall reexamine the rules
599 adopted pursuant to subsection (1) and use ~~consider~~ the findings
600 in these reports ~~the report~~ as a basis for modifying the
601 ~~adopting modified~~ rules to ~~that~~ incorporate successful voter
602 education programs and techniques, as necessary.

603 Section 12. Paragraph (a) of subsection (7) of section
604 110.1227, Florida Statutes, is amended to read:

605 110.1227 Florida Employee Long-Term-Care Plan Act.—

606 (7) The board of directors of the Florida Long-Term-Care
607 Plan shall:

608 (a) Upon implementation, prepare an annual report of the
609 plan, with the assistance of an actuarial consultant, to be

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610 submitted to the ~~Speaker of the House of Representatives, the~~
611 ~~President of the Senate, the Governor, and~~ the Legislature ~~the~~
612 ~~Minority Leaders of the Senate and the House of Representatives.~~

613 Section 13. Subsection (9) of section 120.542, Florida
614 Statutes, is amended to read:

615 120.542 Variances and waivers.—

616 (9) Each agency shall maintain a record of the type and
617 disposition of each petition, including temporary or emergency
618 variances and waivers, filed pursuant to this section. ~~On~~
619 ~~October 1 of each year, each agency shall file a report with the~~
620 ~~Governor, the President of the Senate, and the Speaker of the~~
621 ~~House of Representatives listing the number of petitions filed~~
622 ~~requesting variances to each agency rule, the number of~~
623 ~~petitions filed requesting waivers to each agency rule, and the~~
624 ~~disposition of all petitions. Temporary or emergency variances~~
625 ~~and waivers, and the reasons for granting or denying temporary~~
626 ~~or emergency variances and waivers, shall be identified~~
627 ~~separately from other waivers and variances.~~

628 Section 14. Subsection (3) of section 121.45, Florida
629 Statutes, is amended to read:

630 121.45 Interstate compacts relating to pension
631 portability.—

632 (3) ESTABLISHMENT OF COMPACTS.—

633 (a) The Department of Management Services shall ~~is~~
634 ~~authorized and directed to~~ survey other state retirement systems
635 to determine if such retirement systems are interested in
636 developing an interstate compact with Florida.

637 (b) If another ~~any such~~ state is interested in pursuing the
638 matter, the department shall confer with the other state, and

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639 the consulting actuaries of both states, and ~~shall present its~~
640 ~~findings to the committees having jurisdiction over retirement~~
641 ~~matters in the Legislature, and to~~ representatives of affected
642 certified bargaining units, ~~in order to determine the~~
643 ~~feasibility of developing a portability compact, what groups~~
644 ~~should be covered, and the goals and priorities which should~~
645 ~~guide such development.~~

646 (c) Upon a determination that ~~such~~ a compact is feasible
647 ~~and upon request of the Legislature,~~ the department, together
648 with its consulting actuaries, shall, ~~in accordance with said~~
649 ~~goals and priorities,~~ develop a proposal under which retirement
650 credit may be transferred to or from Florida in an actuarially
651 sound manner and shall present the proposal to the Governor and
652 the Legislature for consideration.

653 ~~(d) Once a proposal has been developed, the department~~
654 ~~shall contract with its consulting actuaries to conduct an~~
655 ~~actuarial study of the proposal to determine the cost to the~~
656 ~~Florida Retirement System Trust Fund and the State of Florida.~~

657 ~~(e) After the actuarial study has been completed, the~~
658 ~~department shall present its findings and the actuarial study to~~
659 ~~the Legislature for consideration. If either house of the~~
660 ~~Legislature elects to enter into such a compact, it shall be~~
661 ~~introduced in the form of a proposed committee bill to the full~~
662 ~~Legislature during the same or next regular session.~~

663 Section 15. Section 153.952, Florida Statutes, is repealed.

664 Section 16. Subsections (3) through (22) of section
665 161.053, Florida Statutes, are amended to read:

666 161.053 Coastal construction and excavation; regulation on
667 county basis.-

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668 ~~(3) It is the intent of the Legislature that any coastal~~
669 ~~construction control line that has not been updated since June~~
670 ~~30, 1980, shall be considered a critical priority for~~
671 ~~reestablishment by the department. In keeping with this intent,~~
672 ~~the department shall notify the Legislature if all such lines~~
673 ~~cannot be reestablished by December 31, 1997, so that the~~
674 ~~Legislature may subsequently consider interim lines of~~
675 ~~jurisdiction for the remaining counties.~~

676 (3)~~(4)~~ A ~~Any~~ coastal county or coastal municipality may
677 establish coastal construction zoning and building codes in lieu
678 of the provisions of this section if~~, provided~~ such zones and
679 codes are approved by the department as being adequate to
680 preserve and protect the beaches and coastal barrier dunes
681 adjacent to such beaches, which are under the jurisdiction of
682 the department, from imprudent construction that will jeopardize
683 the stability of the beach-dune system, accelerate erosion,
684 provide inadequate protection to upland structures, endanger
685 adjacent properties, or interfere with public beach access.
686 Exceptions to locally established coastal construction zoning
687 and building codes may ~~shall~~ not be granted unless previously
688 approved by the department. ~~It is~~ The intent of this subsection
689 is to provide for the local administration of established
690 coastal construction control lines through approved zoning and
691 building codes if ~~where~~ desired by local interests and where
692 such local interests have, in the judgment of the department,
693 sufficient funds and personnel to adequately administer the
694 program. Should the department determine at any time that the
695 program is inadequately administered, the department may ~~shall~~
696 ~~have authority to~~ revoke the authority granted to the county or

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697 municipality.

698 (4)~~(5)~~ Except in those areas where local zoning and
699 building codes have been established pursuant to subsection (3)
700 ~~(4)~~, a permit to alter, excavate, or construct on property
701 seaward of established coastal construction control lines may be
702 granted by the department as follows:

703 (a) The department may authorize an excavation or erection
704 of a structure at any coastal location as described in
705 subsection (1) upon receipt of an application from a property or
706 ~~and/or~~ riparian owner and upon the consideration of facts and
707 circumstances, including:

708 1. Adequate engineering data concerning shoreline stability
709 and storm tides related to shoreline topography;

710 2. Design features of the proposed structures or
711 activities; and

712 3. Potential effects ~~impacts~~ of the location of the ~~such~~
713 structures or activities, including potential cumulative effects
714 of ~~any~~ proposed structures or activities upon the ~~such~~ beach-
715 dune system, which, in the opinion of the department, clearly
716 justify ~~such~~ a permit.

717 (b) If in the immediate contiguous or adjacent area a
718 number of existing structures have established a reasonably
719 continuous and uniform construction line closer to the line of
720 mean high water than the foregoing, and if the existing
721 structures have not been unduly affected by erosion, a proposed
722 structure may, ~~at the discretion of the department,~~ be permitted
723 along such line on written authorization from the department if
724 the ~~such~~ structure is also approved by the department. However,
725 the department may ~~shall~~ not contravene setback requirements or

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726 zoning or building codes established by a county or municipality
727 which are equal to, or more strict than, the ~~those~~ requirements
728 provided in this subsection ~~herein~~. This paragraph does not
729 prohibit the department from requiring structures to meet design
730 and siting criteria established in paragraph (a) or in
731 subsection (1) or subsection (2).

732 (c) The department may condition the nature, timing, and
733 sequence of construction of permitted activities to provide
734 protection to nesting sea turtles and hatchlings and their
735 habitat, pursuant to s. 379.2431, and to native salt-resistant
736 vegetation and endangered plant communities.

737 (d) The department may require ~~such~~ engineer certifications
738 as necessary to ensure ~~assure~~ the adequacy of the design and
739 construction of permitted projects.

740 (e) The department shall limit the construction of
741 structures that ~~which~~ interfere with public access along the
742 beach. However, the department may require, as a condition of ~~to~~
743 granting permits, the provision of alternative access if ~~when~~
744 interference with public access along the beach is unavoidable.
745 The width of the ~~such~~ alternate access may not be required to
746 exceed the width of the access that will be obstructed ~~as a~~
747 ~~result of the permit being granted~~.

748 (f) The department may, as a condition of ~~to~~ the granting
749 ~~of~~ a permit ~~under this section~~, require mitigation, financial,
750 or other assurances acceptable to the department ~~as may be~~
751 ~~necessary~~ to ensure ~~assure~~ performance of conditions of a permit
752 or enter into contractual agreements to best assure compliance
753 with any permit conditions. The department may also require
754 notice of the permit conditions required and the contractual

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755 agreements entered into ~~pursuant to the provisions of this~~
756 ~~subsection~~ to be filed in the public records of the county in
757 which the permitted activity is located.

758 (5)~~(6)~~ (a) As used in this subsection, the term:

759 1. "Frontal dune" means the first natural or manmade mound
760 or bluff of sand which is located landward of the beach and
761 which has sufficient vegetation, height, continuity, and
762 configuration to offer protective value.

763 2. "Seasonal high-water line" means the line formed by the
764 intersection of the rising shore and the elevation of 150
765 percent of the local mean tidal range above local mean high
766 water.

767 (b) After October 1, 1985, and notwithstanding any other
768 provision of this part, the department, or a local government to
769 which the department has delegated permitting authority pursuant
770 to subsections (3) ~~(4)~~ and (15) ~~(16)~~, may ~~shall~~ not issue a ~~any~~
771 permit for any structure, other than a coastal or shore
772 protection structure, minor structure, or pier, meeting the
773 requirements of this part, or other than intake and discharge
774 structures for a facility sited pursuant to part II of chapter
775 403, which is proposed for a location that ~~which~~, based on the
776 department's projections of erosion in the area, will be seaward
777 of the seasonal high-water line within 30 years after the date
778 of application for the ~~such~~ permit. The procedures for
779 determining such erosion shall be established by rule. In
780 determining the area that ~~which~~ will be seaward of the seasonal
781 high-water line in 30 years, the department may ~~shall~~ not
782 include any areas landward of a coastal construction control
783 line.

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784 (c) If ~~Where~~ the application of paragraph (b) would
785 preclude the construction of a structure, the department may
786 issue a permit for a single-family dwelling for the parcel if ~~so~~
787 ~~long as~~:

788 1. The parcel ~~for which the single-family dwelling is~~
789 ~~proposed~~ was platted or subdivided by metes and bounds before
790 the effective date of this section;

791 2. The owner of the parcel ~~for which the single-family~~
792 ~~dwelling is proposed~~ does not own another parcel immediately
793 adjacent to and landward of the parcel for which the dwelling is
794 proposed;

795 3. The proposed single-family dwelling is located landward
796 of the frontal dune structure; and

797 4. The proposed single-family dwelling will be as far
798 landward on its parcel as is practicable without being located
799 seaward of or on the frontal dune.

800 (d) In determining the land areas that ~~which~~ will be below
801 the seasonal high-water line within 30 years after the permit
802 application date, the department shall consider the effect
803 ~~impact~~ on the erosion rates of an existing beach nourishment or
804 restoration project or of a beach nourishment or restoration
805 project for which all funding arrangements have been made and
806 all permits have been issued at the time the application is
807 submitted. The department shall consider each year there is sand
808 seaward of the erosion control line whether ~~that~~ ~~no~~ erosion took
809 place that year. However, the seaward extent of the beach
810 nourishment or restoration project beyond the erosion control
811 line may ~~shall~~ not be considered in determining the applicable
812 erosion rates. ~~Nothing in~~ This subsection does not ~~shall~~

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813 prohibit the department from requiring structures to meet the
814 criteria established in subsection (1), subsection (2), or
815 subsection (4) ~~(5)~~ or to be further landward than required by
816 this subsection based on the criteria established in subsection
817 (1), subsection (2), or subsection (4) ~~(5)~~.

818 (e) The department shall annually report to the Legislature
819 the status of this program, including any changes to the
820 previously adopted procedures for determining erosion
821 projections.

822 (6) ~~(7)~~ Any coastal structure erected, or excavation
823 created, in violation of ~~the provisions of~~ this section is
824 ~~hereby~~ declared to be a public nuisance, and such structure
825 shall be ~~forthwith~~ removed or such excavation shall be ~~forthwith~~
826 refilled after written notice by the department directing such
827 removal or filling. If ~~In the event~~ the structure is not removed
828 or the excavation refilled within a reasonable time as directed,
829 the department may remove such structure or fill such excavation
830 at its own expense, and the costs thereof shall become a lien on
831 ~~upon~~ the property of the upland owner upon which the ~~such~~
832 unauthorized structure or excavation is located.

833 (7) ~~(8)~~ Any person, firm, corporation, or agent thereof who
834 violates this section commits ~~is guilty of~~ a misdemeanor of the
835 first degree, punishable as provided in s. 775.082 or s.
836 775.083, ~~except~~ that a person driving a ~~any~~ vehicle on, over,
837 or across a ~~any~~ sand dune and damaging or causing to be damaged
838 such sand dune or the vegetation growing thereon in violation of
839 this section commits ~~is guilty of~~ a misdemeanor of the second
840 degree, punishable as provided in s. 775.082 or s. 775.083. A
841 person, firm, corporation, or agent thereof commits ~~shall be~~

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842 ~~deemed guilty of~~ a separate offense for each day during any
843 portion of which a ~~any~~ violation of this section is committed or
844 continued.

845 ~~(8)-(9) The provisions of~~ This section does ~~de~~ not apply to
846 structures intended for shore protection purposes which are
847 regulated by s. 161.041 or to structures existing or under
848 construction before ~~prior to~~ the establishment of the coastal
849 construction control line if the ~~as provided herein, provided~~
850 ~~such~~ structures are ~~may not be~~ materially altered except as
851 provided in subsection (4) ~~(5)~~. Except for structures that have
852 been materially altered, structures ~~determined to be~~ under
853 construction at the time of the establishment or reestablishment
854 of the coastal construction control line are ~~shall be~~ exempt
855 from the provisions of this section. However, unless such an
856 exemption has been judicially confirmed to exist before ~~prior to~~
857 April 10, 1992, the exemption shall last only for a period of 3
858 years from ~~either~~ the date of the determination of the exemption
859 or April 10, 1992, whichever occurs later. The department may
860 extend the exemption period for structures that require longer
861 periods for completion if ~~of their construction, provided that~~
862 construction during the initial exemption period is ~~has been~~
863 continuous. For purposes of this subsection, the term
864 "continuous" means following a reasonable sequence of
865 construction without significant or unreasonable periods of work
866 stoppage.

867 ~~(9)-(10) The department may by regulation exempt~~
868 specifically described portions of the coastline from the
869 provisions of this section if, when ~~in its judgment,~~ such
870 portions of coastline because of their nature are not subject to

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871 erosion of a substantially damaging effect to the public.

872 (10)~~(11)~~ Pending the establishment of coastal construction
873 control lines as provided herein, the provisions of s. 161.052
874 shall remain in force. However, upon the establishment of
875 coastal construction control lines, or the establishment of
876 coastal construction zoning and building codes as provided in
877 subsection (3) ~~(4)~~, the provisions of s. 161.052 shall be
878 superseded by the provisions of this section.

879 (11)~~(12)~~ (a) The coastal construction control requirements
880 defined in subsection (1) and the requirements of the erosion
881 projections in ~~pursuant to~~ subsection (5) ~~(6)~~ do not apply to
882 any modification, maintenance, or repair of ~~to~~ any existing
883 structure within the limits of the existing foundation which
884 does not require, involve, or include any additions to, or
885 repair or modification of, the existing foundation of that
886 structure. Specifically excluded from this exemption are
887 seawalls or other rigid coastal or shore protection structures
888 and any additions or enclosures added, constructed, or installed
889 below the first dwelling floor or lowest deck of the existing
890 structure.

891 (b) Activities seaward of the coastal construction control
892 line which are determined by the department not to cause a
893 measurable interference with the natural functioning of the
894 coastal system are exempt from the requirements of ~~in~~ subsection
895 (4) ~~(5)~~.

896 (c) The department may establish exemptions from the
897 requirements of this section for minor activities determined by
898 the department not to have an adverse effect ~~impacts~~ on the
899 coastal system. Examples of such activities include, but are not

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900 limited to:

901 1. Boat moorings;

902 2. Maintenance of existing beach-dune ~~beach/dune~~
903 vegetation;

904 3. The burial of seaweed, dead fish, whales, or other
905 marine animals on the unvegetated beach;

906 4. The removal of piers or other derelict structures from
907 the unvegetated beach or seaward of mean high water;

908 5. Temporary emergency vehicular access, if the affected
909 ~~provided any impacted~~ area is immediately restored;

910 6. The removal of any existing structures or debris from
911 the upland, if provided there is no excavation or disturbance to
912 the existing topography or to beach-dune ~~beach/dune~~ vegetation;

913 7. Construction of a ~~any~~ new roof overhang extending no
914 more than 4 feet beyond the confines of the existing foundation
915 during modification, renovation, or reconstruction of a
916 habitable structure within the confines of the existing
917 foundation of that structure which does not include any
918 additions to or modification of the existing foundation of that
919 structure;

920 8. Minor and temporary excavation for the purpose of
921 repairs to existing subgrade residential service utilities
922 (e.g., water and sewer lines, septic tanks and drainfields,
923 electrical and telephone cables, and gas lines), if provided
924 ~~that~~ there is minimal disturbance and the ~~that~~ grade is restored
925 with fill compatible in both coloration and grain size to the
926 onsite material and any damaged or destroyed vegetation is
927 restored using similar vegetation; and

928 9. Any other minor construction that has an effect ~~with~~

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929 ~~impacts~~ similar to the above activities.

930 (12)~~(13)~~ (a) Notwithstanding the coastal construction
931 control requirements defined in subsection (1) or the erosion
932 projection determined pursuant to subsection (5) ~~(6)~~, the
933 department may, ~~at its discretion~~, issue a permit for the repair
934 or rebuilding within the confines of the original foundation of
935 a major structure pursuant to ~~the provisions of~~ subsection (4)
936 ~~(5)~~. Alternatively, the department may also, ~~at its discretion~~,
937 issue a permit for a more landward relocation or rebuilding of a
938 damaged or existing structure if such relocation or rebuilding
939 would not cause further harm to the beach-dune system, and if,
940 in the case of rebuilding, the ~~such~~ rebuilding complies with ~~the~~
941 ~~provisions of~~ subsection (4) ~~(5)~~, and otherwise complies with
942 ~~the provisions of~~ this subsection.

943 ~~(b) Under no circumstances shall~~ The department may not
944 permit ~~such~~ repairs or rebuilding that expands ~~expand~~ the
945 capacity of the original structure seaward of the 30-year
946 erosion projection established pursuant to subsection (5) ~~(6)~~.

947 (c) In reviewing applications for relocation or rebuilding,
948 the department shall specifically consider changes in shoreline
949 conditions, the availability of other relocation or rebuilding
950 options, and the design adequacy of the project sought to be
951 rebuilt.

952 (d) Permits issued under this subsection are ~~shall not be~~
953 considered precedential as to the issuance of subsequent
954 permits.

955 (13)~~(14)~~ Concurrent with the establishment of a coastal
956 construction control line and the ongoing administration of this
957 chapter, the secretary of the department shall make

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958 recommendations to the Board of Trustees of the Internal
959 Improvement Trust Fund concerning the purchase of the fee or any
960 lesser interest in any lands seaward of the control line
961 pursuant to the state's Save Our Coast, Conservation and
962 Recreation Lands, or Outdoor Recreation Land acquisition
963 programs; and, with respect to those control lines established
964 pursuant to this section before ~~prior to~~ June 14, 1978, the
965 secretary may make such recommendations.

966 (14) ~~(15)~~ A coastal county or municipality fronting on the
967 Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida
968 shall advise the department within 5 days after receipt of any
969 permit application for construction or other activities proposed
970 to be located seaward of the line established by the department
971 pursuant to ~~the provisions of~~ this section. Within 5 days after
972 receipt of such application, the county or municipality shall
973 notify the applicant of the requirements for state permits.

974 (15) ~~(16)~~ In keeping with the intent of subsection (3) ~~(4)~~,
975 ~~and at the discretion of the department~~, authority for
976 permitting certain types of activities that ~~which~~ have been
977 defined by the department may be delegated by the department to
978 a coastal county or coastal municipality. Such partial
979 delegation shall be narrowly construed to those particular
980 activities specifically named in the delegation and agreed to by
981 the affected county or municipality. ~~and~~ The delegation may be
982 revoked by the department at any time if it is determined that
983 the delegation is improperly or inadequately administered.

984 (16) ~~(17)~~ The department may, at the request of a property
985 owner, contract with the ~~such~~ property owner for an agreement,
986 or modify an existing contractual agreement regulating

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987 development activities landward of a coastal construction
988 control line, if provided that nothing within the contractual
989 agreement is consistent ~~shall be inconsistent~~ with the design
990 and siting provisions of this section. ~~In no case shall~~ The
991 contractual agreement may not bind either party for a period
992 longer than 5 years following ~~from~~ its date of execution. Before
993 ~~Prior to~~ beginning a any construction activity covered by the
994 agreement, the property owner must ~~shall~~ obtain the necessary
995 authorization required by the agreement. The agreement may ~~shall~~
996 not authorize construction for:

997 (a) Major habitable structures that ~~which would~~ require
998 construction beyond the expiration of the agreement, unless such
999 construction is above the completed foundation; or

1000 (b) Nonhabitable major structures or minor structures,
1001 unless such construction is ~~was~~ authorized at the same time as
1002 the habitable major structure.

1003 ~~(17)-(18)~~ The department may ~~is authorized to~~ grant areawide
1004 permits to local governments, other governmental agencies, and
1005 utility companies for special classes of activities in areas
1006 under their general jurisdiction or responsibility if, ~~so long~~
1007 ~~as~~ these activities, due to the type, size, or temporary nature
1008 of the activity, will not cause measurable interference with the
1009 natural functioning of the beach-dune ~~beach-dune~~ system or with
1010 marine turtles or their nesting sites. Such activities ~~shall~~
1011 include, but are not ~~be~~ limited to: road repairs, not including
1012 new construction; utility repairs and replacements, or other
1013 minor activities necessary to provide utility services; beach
1014 cleaning; and emergency response. The department may adopt rules
1015 to establish criteria and guidelines for ~~use by~~ permit

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1016 applicants. The department must ~~shall~~ require notice provisions
1017 appropriate to the type and nature of the activities for which
1018 the areawide permits are sought.

1019 ~~(18)-(19)~~ The department may ~~is authorized to~~ grant general
1020 permits for projects, including dune walkovers, decks, fences,
1021 landscaping, sidewalks, driveways, pool resurfacing, minor pool
1022 repairs, and other nonhabitable structures, if the ~~so long as~~
1023 ~~these~~ projects, due to ~~the~~ type, size, or temporary nature ~~of~~
1024 ~~the project~~, will not cause a measurable interference with the
1025 natural functioning of the beach-dune ~~beach-dune~~ system or with
1026 marine turtles or their nesting sites. ~~In no event shall~~
1027 Multifamily habitable structures do not qualify for general
1028 permits. However, single-family habitable structures that ~~which~~
1029 do not advance the line of existing construction and satisfy all
1030 siting and design requirements of this section may be eligible
1031 for a general permit ~~pursuant to this subsection~~. The department
1032 may adopt rules to establish criteria and guidelines for ~~use by~~
1033 permit applicants.

1034 (a) Persons wishing to use the general permits must ~~set~~
1035 ~~forth in this subsection shall~~, at least 30 days before
1036 beginning any work, notify the department in writing on forms
1037 adopted by the department. The notice must ~~shall~~ include a
1038 description of the proposed project and supporting documents
1039 depicting the proposed project, its location, and other
1040 pertinent information as required by rule, to demonstrate that
1041 the proposed project qualifies for the requested general permit.
1042 Persons who undertake projects without proof of notice to the
1043 department, but whose projects would otherwise qualify for
1044 general permits, shall be considered to have ~~as being~~ undertaken

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1045 a project without a permit and are ~~shall be~~ subject to
1046 enforcement pursuant to s. 161.121.

1047 (b) Persons wishing to use a general permit must provide
1048 notice as required by the applicable local building code where
1049 the project will be located. If a building code requires no
1050 notice, any person wishing to use a general permit must, at a
1051 minimum, post a sign describing the project on the property at
1052 least 5 days before commencing ~~prior to the commencement of~~
1053 construction. The a sign must be at least ~~no smaller than~~ 88
1054 square inches, with letters no smaller than one-quarter inch,
1055 ~~describing the project.~~

1056 ~~(19)-(20)~~ (a) The department may suspend or revoke the use of
1057 a general or areawide permit for good cause, including:
1058 submission of false or inaccurate information in the
1059 notification for use of a general or areawide permit; violation
1060 of law, department orders, or rules relating to permit
1061 conditions; deviation from the specified activity or project
1062 indicated or the conditions for undertaking the activity or
1063 project; refusal of lawful inspection; or any other act by ~~on~~
1064 the permittee ~~permittee's part in using the general or areawide~~
1065 ~~permit~~ which results or may result in harm or injury to human
1066 health or welfare, or which causes harm or injury to animal,
1067 plant, or aquatic life or to property.

1068 (b) The department shall have access to the permitted
1069 activity or project at reasonable times to inspect and determine
1070 compliance with the permit and department rules.

1071 ~~(20)-(21)~~ The department may ~~is authorized to~~ adopt rules
1072 related to the ~~following provisions of this section:~~
1073 establishment of coastal construction control lines; activities

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1074 seaward of the coastal construction control line; exemptions;
1075 property owner agreements; delegation of the program; permitting
1076 programs; and violations and penalties.

1077 ~~(21)-(22)~~ In accordance with ss. 553.73 and 553.79, and upon
1078 the effective date of the Florida Building Code, the provisions
1079 of this section which pertain to and govern the design,
1080 construction, erection, alteration, modification, repair, and
1081 demolition of public and private buildings, structures, and
1082 facilities shall be incorporated into the Florida Building Code.
1083 The Florida Building Commission may ~~shall have the authority to~~
1084 adopt rules pursuant to ss. 120.536 and 120.54 ~~in order to~~
1085 administer ~~implement~~ those provisions. This subsection does not
1086 limit or abrogate the right and authority of the department to
1087 require permits or to adopt and enforce environmental standards,
1088 including, but not limited to, standards for ensuring the
1089 protection of the beach-dune system, proposed or existing
1090 structures, adjacent properties, marine turtles, native salt-
1091 resistant vegetation, endangered plant communities, and the
1092 preservation of public beach access.

1093 Section 17. Subsection (2) of section 161.161, Florida
1094 Statutes, is amended to read:

1095 161.161 Procedure for approval of projects.-

1096 (2) Annually ~~Upon approval of the beach management plan,~~
1097 the secretary shall present to the Legislature ~~President of the~~
1098 ~~Senate, the Speaker of the House of Representatives, and the~~
1099 ~~chairs of the legislative appropriations committees~~
1100 recommendations for funding ~~of~~ beach erosion control projects
1101 prioritized according to the. ~~Such recommendations shall be~~
1102 ~~presented to such members of the Legislature in the priority~~

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1103 ~~order specified in the plan and established pursuant to criteria~~
1104 ~~established contained in s. 161.101(14).~~

1105 Section 18. Section 163.2526, Florida Statutes, is
1106 repealed.

1107 Section 19. Subsection (2) of section 163.3167, Florida
1108 Statutes, is amended to read:

1109 163.3167 Scope of act.—

1110 (2) Each local government shall prepare a comprehensive
1111 plan of the type and in the manner set out in this part ~~act~~ or
1112 ~~shall~~ prepare amendments to its existing comprehensive plan to
1113 conform it to the requirements of this part and in the manner
1114 set out in this part. ~~Each local government,~~ In accordance with
1115 ~~the procedures in s. 163.3184,~~ each local government shall
1116 submit to the state land planning agency its complete proposed
1117 comprehensive plan or its complete comprehensive plan as
1118 proposed to be amended ~~to the state land planning agency by the~~
1119 ~~date specified in the rule adopted by the state land planning~~
1120 ~~agency pursuant to this subsection. The state land planning~~
1121 ~~agency shall, prior to October 1, 1987, adopt a schedule of~~
1122 ~~local governments required to submit complete proposed~~
1123 ~~comprehensive plans or comprehensive plans as proposed to be~~
1124 ~~amended. Such schedule shall specify the exact date of~~
1125 ~~submission for each local government, shall establish equal,~~
1126 ~~staggered submission dates, and shall be consistent with the~~
1127 ~~following time periods:~~

1128 ~~(a) Beginning on July 1, 1988, and on or before July 1,~~
1129 ~~1990, each county that is required to include a coastal~~
1130 ~~management element in its comprehensive plan and each~~
1131 ~~municipality in such a county; and~~

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1132 ~~(b) Beginning on July 1, 1989, and on or before July 1,~~
1133 ~~1991, all other counties or municipalities.~~

1134
1135 ~~Nothing herein shall preclude the state land planning agency~~
1136 ~~from permitting by rule a county together with each municipality~~
1137 ~~in the county from submitting a proposed comprehensive plan~~
1138 ~~earlier than the dates established in paragraphs (a) and (b).~~
1139 ~~Any county or municipality that fails to meet the schedule set~~
1140 ~~for submission of its proposed comprehensive plan by more than~~
1141 ~~90 days shall be subject to the sanctions described in s.~~
1142 ~~163.3184(11) (a) imposed by the Administration Commission.~~
1143 ~~Notwithstanding the time periods established in this subsection,~~
1144 ~~the state land planning agency may establish later deadlines for~~
1145 ~~the submission of proposed comprehensive plans or comprehensive~~
1146 ~~plans as proposed to be amended for a county or municipality~~
1147 ~~which has all or a part of a designated area of critical state~~
1148 ~~concern within its boundaries; however, such deadlines shall not~~
1149 ~~be extended to a date later than July 1, 1991, or the time of~~
1150 ~~de-designation, whichever is earlier.~~

1151 Section 20. Paragraph (h) of subsection (6) and paragraph
1152 (k) of subsection (10) of section 163.3177, Florida Statutes,
1153 are amended to read:

1154 163.3177 Required and optional elements of comprehensive
1155 plan; studies and surveys.—

1156 (6) In addition to the requirements of subsections (1)-(5)
1157 and (12), the comprehensive plan shall include the following
1158 elements:

1159 (h)1. An intergovernmental coordination element showing
1160 relationships and stating principles and guidelines to be used

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1161 in coordinating ~~the accomplishment of coordination~~ of the
1162 adopted comprehensive plan with the plans of school boards,
1163 regional water supply authorities, and other units of local
1164 government providing services but not having regulatory
1165 authority over the use of land, with the comprehensive plans of
1166 adjacent municipalities, the county, adjacent counties, or the
1167 region, with the state comprehensive plan and with the
1168 applicable regional water supply plan approved pursuant to s.
1169 373.0361, as the case may require and as such adopted plans or
1170 plans in preparation may exist. This element of the local
1171 comprehensive plan must ~~shall~~ demonstrate consideration of the
1172 particular effects of the local plan, when adopted, upon the
1173 development of adjacent municipalities, the county, adjacent
1174 counties, or the region, or upon the state comprehensive plan,
1175 as the case may require.

1176 a. The intergovernmental coordination element must ~~shall~~
1177 provide procedures for identifying and implementing ~~to identify~~
1178 ~~and implement~~ joint planning areas, especially for the purpose
1179 of annexation, municipal incorporation, and joint infrastructure
1180 service areas.

1181 b. The intergovernmental coordination element must ~~shall~~
1182 provide for recognition of campus master plans prepared pursuant
1183 to s. 1013.30 and airport master plans under paragraph (k).

1184 c. The intergovernmental coordination element shall provide
1185 for a dispute resolution process, as established pursuant to s.
1186 186.509, ~~for bringing to closure in a timely manner~~
1187 intergovernmental disputes to closure in a timely manner.

1188 d. The intergovernmental coordination element shall provide
1189 for interlocal agreements as established pursuant to s.

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1190 333.03(1)(b).

1191 2. The intergovernmental coordination element shall also
1192 ~~further~~ state principles and guidelines to be used in
1193 coordinating the accomplishment of coordination of the adopted
1194 comprehensive plan with the plans of school boards and other
1195 units of local government providing facilities and services but
1196 not having regulatory authority over the use of land. In
1197 addition, the intergovernmental coordination element must ~~shall~~
1198 describe joint processes for collaborative planning and
1199 decisionmaking on population projections and public school
1200 siting, the location and extension of public facilities subject
1201 to concurrency, and siting facilities with countywide
1202 significance, including locally unwanted land uses whose nature
1203 and identity are established in an agreement. Within 1 year
1204 after ~~of~~ adopting their intergovernmental coordination elements,
1205 each county, all the municipalities within that county, the
1206 district school board, and any unit of local government service
1207 providers in that county shall establish by interlocal or other
1208 formal agreement executed by all affected entities, the joint
1209 processes described in this subparagraph consistent with their
1210 adopted intergovernmental coordination elements.

1211 3. To foster coordination between special districts and
1212 local general-purpose governments as local general-purpose
1213 governments implement local comprehensive plans, each
1214 independent special district must submit a public facilities
1215 report to the appropriate local government as required by s.
1216 189.415.

1217 4.~~a.~~ Local governments shall execute an interlocal
1218 agreement with the district school board, the county, and

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1219 nonexempt municipalities pursuant to s. 163.31777. The local
1220 government shall amend the intergovernmental coordination
1221 element to ensure ~~provide~~ that coordination between the local
1222 government and school board is pursuant to the agreement and
1223 shall state the obligations of the local government under the
1224 agreement.

1225 ~~b.~~ Plan amendments that comply with this subparagraph are
1226 exempt from the provisions of s. 163.3187(1).

1227 ~~5. The state land planning agency shall establish a~~
1228 ~~schedule for phased completion and transmittal of plan~~
1229 ~~amendments to implement subparagraphs 1., 2., and 3. from all~~
1230 ~~jurisdictions so as to accomplish their adoption by December 31,~~
1231 ~~1999. A local government may complete and transmit its plan~~
1232 ~~amendments to carry out these provisions prior to the scheduled~~
1233 ~~date established by the state land planning agency. The plan~~
1234 ~~amendments are exempt from the provisions of s. 163.3187(1).~~

1235 ~~5.6.~~ By January 1, 2004, any county having a population
1236 greater than 100,000, and the municipalities and special
1237 districts within that county, shall submit a report to the
1238 Department of Community Affairs which identifies:

1239 a. ~~Identifies~~ All existing or proposed interlocal service
1240 delivery agreements relating to ~~regarding the following~~:
1241 education; sanitary sewer; public safety; solid waste; drainage;
1242 potable water; parks and recreation; and transportation
1243 facilities.

1244 b. ~~Identifies~~ Any deficits or duplication in the provision
1245 of services within its jurisdiction, whether capital or
1246 operational. Upon request, the Department of Community Affairs
1247 shall provide technical assistance to the local governments in

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1248 identifying deficits or duplication.

1249 ~~6.7.~~ Within 6 months after submission of the report, the
1250 Department of Community Affairs shall, through the appropriate
1251 regional planning council, coordinate a meeting of all local
1252 governments within the regional planning area to discuss the
1253 reports and potential strategies to remedy any identified
1254 deficiencies or duplications.

1255 ~~7.8.~~ Each local government shall update its
1256 intergovernmental coordination element based upon the findings
1257 in the report submitted pursuant to subparagraph 5. ~~6.~~ The
1258 report may be used as supporting data and analysis for the
1259 intergovernmental coordination element.

1260 (10) The Legislature recognizes the importance and
1261 significance of chapter 9J-5, Florida Administrative Code, the
1262 Minimum Criteria for Review of Local Government Comprehensive
1263 Plans and Determination of Compliance of the Department of
1264 Community Affairs that will be used to determine compliance of
1265 local comprehensive plans. The Legislature reserved unto itself
1266 the right to review chapter 9J-5, Florida Administrative Code,
1267 and to reject, modify, or take no action relative to this rule.
1268 Therefore, pursuant to subsection (9), the Legislature hereby
1269 has reviewed chapter 9J-5, Florida Administrative Code, and
1270 expresses the following legislative intent:

1271 (k) In order for ~~So that~~ local governments ~~are able~~ to
1272 prepare and adopt comprehensive plans with knowledge of the
1273 rules that are ~~will be~~ applied to determine consistency of the
1274 plans with ~~provisions of~~ this part, ~~it is the intent of the~~
1275 ~~Legislature that~~ there should be no doubt as to the legal
1276 standing of chapter 9J-5, Florida Administrative Code, at the

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1277 close of the 1986 legislative session. Therefore, the
1278 Legislature declares that changes made to chapter 9J-5 before,
1279 ~~Florida Administrative Code, prior to October 1, 1986, are shall~~
1280 not ~~be~~ subject to rule challenges under s. 120.56(2), or to
1281 drawout proceedings under s. 120.54(3)(c)2. The entire chapter
1282 9J-5, Florida Administrative Code, as amended, is shall be
1283 subject to rule challenges under s. 120.56(3), as nothing herein
1284 indicates shall be construed to indicate approval or disapproval
1285 of any portion of chapter 9J-5, ~~Florida Administrative Code,~~ not
1286 specifically addressed herein. ~~No challenge pursuant to s.~~
1287 ~~120.56(3) may be filed from July 1, 1987, through April 1, 1993.~~
1288 ~~Any amendments to chapter 9J-5, Florida Administrative Code,~~
1289 ~~exclusive of the amendments adopted prior to October 1, 1986,~~
1290 ~~pursuant to this act, shall be subject to the full chapter 120~~
1291 ~~process. All amendments shall have effective dates as provided~~
1292 ~~in chapter 120 and submission to the President of the Senate and~~
1293 ~~Speaker of the House of Representatives shall not be required.~~

1294 Section 21. Subsection (6) of section 163.3178, Florida
1295 Statutes, is amended to read:

1296 163.3178 Coastal management.—

1297 (6) Local governments are encouraged to adopt countywide
1298 marina siting plans to designate sites for existing and future
1299 marinas. The Coastal Resources Interagency Management Committee,
1300 at the direction of the Legislature, shall identify incentives
1301 to encourage local governments to adopt such siting plans and
1302 uniform criteria and standards to be used by local governments
1303 to implement state goals, objectives, and policies relating to
1304 marina siting. These criteria must ensure that priority is given
1305 to water-dependent land uses. ~~The Coastal Resources Interagency~~

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1306 ~~Management Committee shall submit its recommendations regarding~~
1307 ~~local government incentives to the Legislature by December 1,~~
1308 ~~1993.~~ Countywide marina siting plans must be consistent with
1309 state and regional environmental planning policies and
1310 standards. Each local government in the coastal area which
1311 participates in the adoption of a countywide marina siting plan
1312 shall incorporate the plan into the coastal management element
1313 of its local comprehensive plan.

1314 Section 22. Subsection (12) of section 163.519, Florida
1315 Statutes, is repealed.

1316 Section 23. Subsection (9) of section 186.007, Florida
1317 Statutes, is repealed.

1318 Section 24. Subsection (5) of section 189.4035, Florida
1319 Statutes, is amended to read:

1320 189.4035 Preparation of official list of special
1321 districts.—

1322 (5) The official list of special districts shall be
1323 available on the department's website ~~distributed by the~~
1324 ~~department on October 1 of each year to the President of the~~
1325 ~~Senate, the Speaker of the House of Representatives, the Auditor~~
1326 ~~General, the Department of Revenue, the Department of Financial~~
1327 ~~Services, the Department of Management Services, the State Board~~
1328 ~~of Administration, counties, municipalities, county property~~
1329 ~~appraisers, tax collectors, and supervisors of elections and to~~
1330 ~~all interested parties who request the list.~~

1331 Section 25. Subsection (2) of section 189.412, Florida
1332 Statutes, is amended to read:

1333 189.412 Special District Information Program; duties and
1334 responsibilities.—The Special District Information Program of

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1335 the Department of Community Affairs is created and has the
1336 following special duties:

1337 (2) The maintenance of a master list of independent and
1338 dependent special districts which shall be available on the
1339 department's website ~~annually updated and distributed to the~~
1340 ~~appropriate officials in state and local governments.~~

1341 Section 26. Subsection (2) of section 194.034, Florida
1342 Statutes, is amended to read:

1343 194.034 Hearing procedures; rules.—

1344 (2) ~~If In each case, Except when~~ a complaint is withdrawn
1345 by the petitioner or is acknowledged as correct by the property
1346 appraiser, the value adjustment board shall render a written
1347 decision in each case. All ~~such~~ decisions shall be issued within
1348 20 calendar days after ~~of~~ the last day the board is in session
1349 under s. 194.032. The decision of the board must ~~shall~~ contain
1350 findings of fact and conclusions of law and must ~~shall~~ include
1351 reasons for upholding or overturning the determination of the
1352 property appraiser. ~~If When~~ a special magistrate has been
1353 appointed, the recommendations of the special magistrate shall
1354 be considered by the board. ~~The clerk,~~ Upon issuance of the
1355 board's decision ~~decisions,~~ the clerk shall, on a form provided
1356 by the Department of Revenue, notify by first-class mail each
1357 taxpayer and, the property appraiser, ~~and the department~~ of the
1358 decision of the board.

1359 Section 27. Paragraph (b) of subsection (1) of section
1360 206.606, Florida Statutes, is amended to read:

1361 206.606 Distribution of certain proceeds.—

1362 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
1363 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust

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1364 Fund. Such moneys, after deducting the service charges imposed
1365 by s. 215.20, the refunds granted pursuant to s. 206.41, and the
1366 administrative costs incurred by the department in collecting,
1367 administering, enforcing, and distributing the tax, which
1368 administrative costs may not exceed 2 percent of collections,
1369 shall be distributed monthly to the State Transportation Trust
1370 Fund, except that:

1371 (b) Annually, \$2.5 million shall be transferred to the
1372 State Game Trust Fund in the Fish and Wildlife Conservation
1373 Commission ~~in each fiscal year~~ and used for recreational boating
1374 activities, and freshwater fisheries management and research.
1375 The transfers must be made in equal monthly amounts beginning on
1376 July 1 of each fiscal year. The commission shall annually
1377 determine where unmet needs exist for boating-related
1378 activities, and may fund such activities in counties where, due
1379 to the number of vessel registrations, sufficient financial
1380 resources are unavailable.

1381 1. A minimum of \$1.25 million shall be used to fund local
1382 projects to provide recreational channel marking and other
1383 uniform waterway markers, public boat ramps, lifts, and hoists,
1384 marine railways, and other public launching facilities, derelict
1385 vessel removal, and other local boating-related activities. In
1386 funding the projects, the commission shall give priority
1387 consideration to ~~as follows~~:

1388 a. Unmet needs in counties having ~~with~~ populations of
1389 100,000 or fewer ~~less~~.

1390 b. Unmet needs in coastal counties having ~~with~~ a high level
1391 of boating-related activities from individuals residing in other
1392 counties.

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1393 2. The remaining \$1.25 million may be used for recreational
1394 boating activities and freshwater fisheries management and
1395 research.

1396 3. The commission may ~~is authorized to~~ adopt rules pursuant
1397 ~~to ss. 120.536(1) and 120.54~~ to administer ~~implement~~ a Florida
1398 Boating Improvement Program.

1399
1400 ~~On February 1 of each year,~~ The commission shall prepare and
1401 make available on its Internet website ~~file~~ an annual report
1402 ~~with the President of the Senate and the Speaker of the House of~~
1403 ~~Representatives~~ outlining the status of its Florida Boating
1404 Improvement Program, including the projects funded, and a list
1405 of counties whose needs are unmet due to insufficient financial
1406 resources from vessel registration fees.

1407 Section 28. Paragraph (b) of subsection (4) of section
1408 212.054, Florida Statutes, is amended to read:

1409 212.054 Discretionary sales surtax; limitations,
1410 administration, and collection.—

1411 (4)

1412 (b) The proceeds of a discretionary sales surtax collected
1413 by the selling dealer located in a county imposing ~~which imposes~~
1414 the surtax shall be returned, less the cost of administration,
1415 to the county where the selling dealer is located. The proceeds
1416 shall be transferred to the Discretionary Sales Surtax Clearing
1417 Trust Fund. A separate account shall be established in the ~~such~~
1418 trust fund for each county imposing a discretionary surtax. The
1419 amount deducted for the costs of administration may ~~shall~~ not
1420 exceed 3 percent of the total revenue generated for all counties
1421 levying a surtax authorized in s. 212.055. The amount deducted

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1422 for the costs of administration may ~~shall~~ be used only for ~~those~~
 1423 costs that ~~which~~ are solely and directly attributable to the
 1424 surtax. The total cost of administration shall be prorated among
 1425 those counties levying the surtax on the basis of the amount
 1426 collected for a particular county to the total amount collected
 1427 for all counties. ~~No later than March 1 of each year, the~~
 1428 ~~department shall submit a written report which details the~~
 1429 ~~expenses and amounts deducted for the costs of administration to~~
 1430 ~~the President of the Senate, the Speaker of the House of~~
 1431 ~~Representatives, and the governing authority of each county~~
 1432 ~~levying a surtax.~~ The department shall distribute the moneys in
 1433 the trust fund ~~each month~~ to the appropriate counties each
 1434 month, unless otherwise provided in s. 212.055.

1435 Section 29. Paragraph (j) of subsection (5) of section
 1436 212.08, Florida Statutes, is amended to read:

1437 212.08 Sales, rental, use, consumption, distribution, and
 1438 storage tax; specified exemptions.—The sale at retail, the
 1439 rental, the use, the consumption, the distribution, and the
 1440 storage to be used or consumed in this state of the following
 1441 are hereby specifically exempt from the tax imposed by this
 1442 chapter.

1443 (5) EXEMPTIONS; ACCOUNT OF USE.—

1444 (j) *Machinery and equipment used in semiconductor, defense,*
 1445 *or space technology production.—*

1446 1.a. Industrial machinery and equipment used in
 1447 semiconductor technology facilities certified under subparagraph
 1448 5. to manufacture, process, compound, or produce semiconductor
 1449 technology products for sale or for use by these facilities are
 1450 exempt from the tax imposed by this chapter. For purposes of

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1451 this paragraph, industrial machinery and equipment includes
1452 molds, dies, machine tooling, other appurtenances or accessories
1453 to machinery and equipment, testing equipment, test beds,
1454 computers, and software, whether purchased or self-fabricated,
1455 and, if self-fabricated, includes materials and labor for
1456 design, fabrication, and assembly.

1457 b. Industrial machinery and equipment used in defense or
1458 space technology facilities certified under subparagraph 5. to
1459 design, manufacture, assemble, process, compound, or produce
1460 defense technology products or space technology products for
1461 sale or for use by these facilities are exempt from the tax
1462 imposed by this chapter.

1463 2. Building materials purchased for use in manufacturing or
1464 expanding clean rooms in semiconductor-manufacturing facilities
1465 are exempt from the tax imposed by this chapter.

1466 3. In addition to meeting the criteria mandated by
1467 subparagraph 1. or subparagraph 2., a business must be certified
1468 by the Office of Tourism, Trade, and Economic Development ~~as~~
1469 ~~authorized in this paragraph~~ in order to qualify for exemption
1470 under this paragraph.

1471 4. For items purchased tax-exempt pursuant to this
1472 paragraph, possession of a written certification from the
1473 purchaser, certifying the purchaser's entitlement to the
1474 exemption ~~pursuant to this paragraph~~, relieves the seller of the
1475 responsibility of collecting the tax on the sale of such items,
1476 and the department shall look solely to the purchaser for
1477 recovery of the tax if it determines that the purchaser was not
1478 entitled to the exemption.

1479 5.a. To be eligible to receive the exemption provided by

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1480 subparagraph 1. or subparagraph 2., a qualifying business entity
1481 shall ~~apply~~ initially apply to Enterprise Florida, Inc. The
1482 original certification is ~~shall be~~ valid for a period of 2
1483 years. In lieu of submitting a new application, the original
1484 certification may be renewed biennially by submitting to the
1485 Office of Tourism, Trade, and Economic Development a statement,
1486 certified under oath, that there has been no material change in
1487 the conditions or circumstances entitling the business entity to
1488 the original certification. The initial application and the
1489 certification renewal statement shall be developed by the Office
1490 of Tourism, Trade, and Economic Development in consultation with
1491 Enterprise Florida, Inc.

1492 b. Enterprise Florida, Inc., shall review each submitted
1493 initial application ~~and information~~ and determine whether or not
1494 the application is complete within 5 working days. Once ~~an~~
1495 ~~application is~~ complete, Enterprise Florida, Inc., shall, within
1496 10 working days, evaluate the application and recommend approval
1497 or disapproval ~~of the application~~ to the Office of Tourism,
1498 Trade, and Economic Development.

1499 c. Upon receipt of the initial application and
1500 recommendation from Enterprise Florida, Inc., or upon receipt of
1501 a certification renewal statement, the Office of Tourism, Trade,
1502 and Economic Development shall certify within 5 working days
1503 those applicants who are found to meet the requirements of this
1504 section and notify the applicant, Enterprise Florida, Inc., and
1505 the department of the original certification or certification
1506 renewal. If the Office of Tourism, Trade, and Economic
1507 Development finds that the applicant does not meet the
1508 requirements ~~of this section~~, it shall notify the applicant and

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1509 Enterprise Florida, Inc., within 10 working days that the
1510 application for certification has been denied and the reasons
1511 for denial. The Office of Tourism, Trade, and Economic
1512 Development has final approval authority for certification under
1513 this section.

1514 d. The initial application and certification renewal
1515 statement must indicate, for program evaluation purposes only,
1516 the average number of full-time equivalent employees at the
1517 facility over the preceding calendar year, the average wage and
1518 benefits paid to those employees over the preceding calendar
1519 year, the total investment made in real and tangible personal
1520 property over the preceding calendar year, and the total value
1521 of tax-exempt purchases and taxes exempted during the previous
1522 year. The department shall assist the Office of Tourism, Trade,
1523 and Economic Development in evaluating and verifying information
1524 provided in the application for exemption.

1525 e. The Office of Tourism, Trade, and Economic Development
1526 may use the information reported on the initial application and
1527 certification renewal statement for evaluation purposes only ~~and~~
1528 ~~shall prepare an annual report on the exemption program and its~~
1529 ~~cost and impact. The annual report for the preceding fiscal year~~
1530 ~~shall be submitted to the Governor, the President of the Senate,~~
1531 ~~and the Speaker of the House of Representatives by September 30~~
1532 ~~of each fiscal year.~~

1533 6. A business certified to receive this exemption may elect
1534 to designate one or more state universities or community
1535 colleges as recipients of up to 100 percent of the amount of the
1536 exemption ~~for which they may qualify~~. To receive these funds,
1537 the institution must agree to match the funds ~~so earned~~ with

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1538 equivalent cash, programs, services, or other in-kind support on
1539 a one-to-one basis for ~~in the pursuit of~~ research and
1540 development projects ~~as~~ requested by the certified business. The
1541 rights to any patents, royalties, or real or intellectual
1542 property must be vested in the business unless otherwise agreed
1543 to by the business and the university or community college.

1544 7. As used in this paragraph, the term:

1545 a. "Semiconductor technology products" means raw
1546 semiconductor wafers or semiconductor thin films that are
1547 transformed into semiconductor memory or logic wafers, including
1548 wafers containing mixed memory and logic circuits; related
1549 assembly and test operations; active-matrix flat panel displays;
1550 semiconductor chips; semiconductor lasers; optoelectronic
1551 elements; and related semiconductor technology products as
1552 determined by the Office of Tourism, Trade, and Economic
1553 Development.

1554 b. "Clean rooms" means manufacturing facilities enclosed in
1555 a manner that meets the clean manufacturing requirements
1556 necessary for high-technology semiconductor-manufacturing
1557 environments.

1558 c. "Defense technology products" means products that have a
1559 military application, including, but not limited to, weapons,
1560 weapons systems, guidance systems, surveillance systems,
1561 communications or information systems, munitions, aircraft,
1562 vessels, or boats, or components thereof, which are intended for
1563 military use and manufactured in performance of a contract with
1564 the United States Department of Defense or the military branch
1565 of a recognized foreign government or a subcontract thereunder
1566 which relates to matters of national defense.

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1567 d. "Space technology products" means products that are
1568 specifically designed or manufactured for application in space
1569 activities, including, but not limited to, space launch
1570 vehicles, space flight vehicles, missiles, satellites or
1571 research payloads, avionics, and associated control systems and
1572 processing systems and components of any of the foregoing. The
1573 term does not include products that are designed or manufactured
1574 for general commercial aviation or other uses even though those
1575 products may also serve an incidental use in space applications.

1576 Section 30. Section 213.0452, Florida Statutes, is
1577 repealed.

1578 Section 31. Section 213.054, Florida Statutes, is repealed.

1579 Section 32. Subsection (3) of section 215.70, Florida
1580 Statutes, is amended to read:

1581 215.70 State Board of Administration to act in case of
1582 defaults.—

1583 (3) ~~It shall be the duty of~~ The State Board of
1584 Administration shall ~~to~~ monitor the debt service accounts for
1585 bonds issued pursuant to this act. The board shall advise the
1586 Governor and Legislature of any projected need to appropriate
1587 funds to honor the pledge of full faith and credit of the state.
1588 The report must ~~shall~~ include the estimated amount of
1589 appropriations needed, the estimated maximum amount of
1590 appropriations needed, and a contingency appropriation request
1591 for each bond issue.

1592 Section 33. Paragraph (z) of subsection (1) of section
1593 216.011, Florida Statutes, is amended to read:

1594 216.011 Definitions.—

1595 (1) For the purpose of fiscal affairs of the state,

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1596 appropriations acts, legislative budgets, and approved budgets,
1597 each of the following terms has the meaning indicated:

1598 (z) "Long-range program plan" means a plan developed
1599 pursuant to s. 216.013 ~~on an annual basis by each state agency~~
1600 ~~that is policy based, priority driven, accountable, and~~
1601 ~~developed through careful examination and justification of all~~
1602 ~~programs and their associated costs. Each plan is developed by~~
1603 ~~examining the needs of agency customers and clients and~~
1604 ~~proposing programs and associated costs to address those needs~~
1605 ~~based on state priorities as established by law, the agency~~
1606 ~~mission, and legislative authorization. The plan provides the~~
1607 ~~framework and context for preparing the legislative budget~~
1608 ~~request and includes performance indicators for evaluating the~~
1609 ~~impact of programs and agency performance.~~

1610 Section 34. Paragraph (c) of subsection (10) of section
1611 216.181, Florida Statutes, is repealed.

1612 Section 35. Subsection (5) of section 252.55, Florida
1613 Statutes, is amended to read:

1614 252.55 Civil Air Patrol, Florida Wing.—

1615 (5) The wing commander of the Florida Wing of the Civil Air
1616 Patrol shall biennially furnish the Bureau of Emergency
1617 Management a 2-year ~~an annual~~ projection of the goals and
1618 objectives of the Civil Air Patrol which shall ~~for the following~~
1619 ~~year. These will be reported to the Governor in the~~ division's
1620 biennial annual report submitted pursuant to s. 252.35 ~~of the~~
1621 ~~division on February 1 of each year.~~

1622 Section 36. Subsection (1) of section 253.7825, Florida
1623 Statutes, is amended to read:

1624 253.7825 Recreational uses.—

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1625 (1) The Cross Florida Greenways State Recreation and
1626 Conservation Area must be managed as a multiple-use area
1627 pursuant to s. 253.034(2) (a), and as ~~further~~ provided in this
1628 section herein. ~~The University of Florida Management Plan~~
1629 ~~provides a conceptual recreational plan that may ultimately be~~
1630 ~~developed at various locations throughout the greenways~~
1631 ~~corridor. The plan proposes to locate a number of the larger,~~
1632 ~~more comprehensive and complex recreational facilities in~~
1633 ~~sensitive, natural resource areas.~~ Future site-specific studies
1634 and investigations must be conducted by the department to
1635 determine compatibility with, and potential for adverse impact
1636 to, existing natural resources, need for the facility, the
1637 availability of other alternative locations with reduced adverse
1638 impacts to existing natural resources, and the proper specific
1639 sites and locations for the more comprehensive and complex
1640 facilities. Furthermore, it is appropriate, with the approval of
1641 the department, to allow more fishing docks, boat launches, and
1642 other user-oriented facilities to be developed and maintained by
1643 local governments.

1644 Section 37. Section 253.7826, Florida Statutes, is
1645 repealed.

1646 Section 38. Section 253.7829, Florida Statutes, is
1647 repealed.

1648 Section 39. Subsection (4) of section 259.037, Florida
1649 Statutes, is amended to read:

1650 259.037 Land Management Uniform Accounting Council.—

1651 (4) The council shall provide a report of the agencies'
1652 expenditures pursuant to the adopted categories ~~to the President~~
1653 ~~of the Senate and the Speaker of the House of Representatives~~

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1654 ~~annually, beginning July 1, 2001. The council shall also provide~~
1655 ~~this report~~ to the Acquisition and Restoration Council and the
1656 division for inclusion in its annual report required pursuant to
1657 s. 259.036.

1658 Section 40. Subsection (4) of section 267.074, Florida
1659 Statutes, is repealed.

1660 Section 41. Subsection (3) of section 284.50, Florida
1661 Statutes, is repealed.

1662 Section 42. Subsection (11) of section 287.045, Florida
1663 Statutes, is repealed.

1664 Section 43. Subsection (15) of section 287.059, Florida
1665 Statutes, is amended to read:

1666 287.059 Private attorney services.—

1667 (15) The Attorney General's office may, ~~by rule,~~ adopt
1668 standard fee schedules for court reporting services for each
1669 judicial circuit by rule, in consultation with the Florida Court
1670 Reporters Association. ~~Agencies,~~ When contracting for court
1671 reporting services, an agency shall ~~must~~ use the standard fee
1672 schedule ~~for court reporting services~~ established pursuant to
1673 this section unless a, ~~provided no~~ state contract is not
1674 applicable or unless the head of the agency or his or her
1675 designee waives use of the schedule and sets forth the reasons
1676 for deviating from the schedule in writing to the Attorney
1677 General. The ~~Such~~ waiver must demonstrate necessity based upon
1678 criteria for deviation from the schedule which the Attorney
1679 General shall establish by rule. ~~Any proposed fee schedule under~~
1680 ~~this section shall be submitted to the Governor, the Speaker of~~
1681 ~~the House of Representatives, the President of the Senate, and~~
1682 ~~the Chief Justice of the Florida Supreme Court at least 60 days~~

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1683 ~~prior to publication of the notice to adopt the rule.~~

1684 Section 44. Subsection (7) of section 288.108, Florida
1685 Statutes, is repealed.

1686 Section 45. Section 288.1185, Florida Statutes, is
1687 repealed.

1688 Section 46. Paragraph (e) of subsection (8) of section
1689 288.1229, Florida Statutes, is amended to read:

1690 288.1229 Promotion and development of sports-related
1691 industries and amateur athletics; direct-support organization;
1692 powers and duties.—

1693 (8) To promote amateur sports and physical fitness, the
1694 direct-support organization shall:

1695 (e) Promote Florida as a host for national and
1696 international amateur athletic competitions. ~~As part of this~~
1697 ~~effort, the direct-support organization shall:~~

1698 ~~1. Assist and support Florida cities or communities bidding~~
1699 ~~or seeking to host the Summer Olympics or Pan American Games.~~

1700 ~~2. Annually report to the Governor, the President of the~~
1701 ~~Senate, and the Speaker of the House of Representatives on the~~
1702 ~~status of the efforts of cities or communities bidding to host~~
1703 ~~the Summer Olympics or Pan American Games, including, but not~~
1704 ~~limited to, current financial and infrastructure status,~~
1705 ~~projected financial and infrastructure needs, and~~
1706 ~~recommendations for satisfying the unmet needs and fulfilling~~
1707 ~~the requirements for a successful bid in any year that the~~
1708 ~~Summer Olympics or Pan American Games are held in this state.~~

1709 Section 47. Subsection (4) of section 288.7015, Florida
1710 Statutes, is repealed.

1711 Section 48. Section 288.7771, Florida Statutes, is amended

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1712 to read:

1713 288.7771 Annual report of Florida Export Finance
1714 Corporation. ~~By March 31 of each year,~~ The corporation shall
1715 annually prepare and submit to Enterprise Florida, Inc., for
1716 inclusion in its annual report required by s. 288.095 the
1717 ~~Governor, the President of the Senate, the Speaker of the House~~
1718 ~~of Representatives, the Senate Minority Leader, and the House~~
1719 ~~Minority Leader~~ a complete and detailed report setting forth:

1720 (1) The report required in s. 288.776(3).

1721 (2) Its assets and liabilities at the end of its most
1722 recent fiscal year.

1723 Section 49. Subsections (8), (10), and (11) of section
1724 288.8175, Florida Statutes, are repealed.

1725 Section 50. Subsection (5) of section 288.853, Florida
1726 Statutes, is repealed.

1727 Section 51. Subsection (5) of section 288.95155, Florida
1728 Statutes, is amended to read:

1729 288.95155 Florida Small Business Technology Growth
1730 Program.—

1731 (5) ~~By January 1 of each year,~~ Enterprise Florida, Inc.,
1732 shall prepare and include in its annual report required by s.
1733 288.095 a report on the financial status of the program ~~and the~~
1734 ~~account and shall submit a copy of the report to the board of~~
1735 ~~directors of Enterprise Florida, Inc., the appropriate~~
1736 ~~legislative committees responsible for economic development~~
1737 ~~oversight, and the appropriate legislative appropriations~~
1738 ~~subcommittees.~~ The report must shall specify the assets and
1739 liabilities of the program account within the current fiscal
1740 year and must shall include a portfolio update that lists all of

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1741 the businesses assisted, the private dollars leveraged by each
1742 business assisted, and the growth in sales and in employment of
1743 each business assisted.

1744 Section 52. Paragraph (c) of subsection (4) of section
1745 288.9604, Florida Statutes, is amended to read:

1746 288.9604 Creation of the authority.—

1747 (4)

1748 (c) The directors of the corporation shall annually elect
1749 one of their members as chair and one as vice chair. The
1750 corporation may employ a president, technical experts, and such
1751 other agents and employees, permanent and temporary, as it
1752 requires and determine their qualifications, duties, and
1753 compensation. For such legal services as it requires, the
1754 corporation may employ or retain its own counsel and legal
1755 staff. ~~The corporation shall file with the governing body of~~
1756 ~~each public agency with which it has entered into an interlocal~~
1757 ~~agreement and with the Governor, the Speaker of the House of~~
1758 ~~Representatives, the President of the Senate, the Minority~~
1759 ~~Leaders of the Senate and House of Representatives, and the~~
1760 ~~Auditor General, on or before 90 days after the close of the~~
1761 ~~fiscal year of the corporation, a report of its activities for~~
1762 ~~the preceding fiscal year, which report shall include a complete~~
1763 ~~financial statement setting forth its assets, liabilities,~~
1764 ~~income, and operating expenses as of the end of such fiscal~~
1765 ~~year.~~

1766 Section 53. Section 288.9610, Florida Statutes, is amended
1767 to read:

1768 288.9610 Annual reports of Florida Development Finance
1769 Corporation.—On or before 90 days after the close of ~~By December~~

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1770 ~~1 of each year,~~ the Florida Development Finance Corporation's
1771 fiscal year, the corporation shall submit to the Governor, the
1772 Legislature President of the Senate, the Speaker of the House of
1773 Representatives, the Senate Minority Leader, the House Minority
1774 Leader, the Auditor General, and the governing body of each
1775 public entity with which it has entered into an interlocal
1776 agreement ~~city or county activating the Florida Development~~
1777 ~~Finance Corporation~~ a complete and detailed report setting
1778 forth:

1779 (1) The results of any audit conducted pursuant to s. 11.45
1780 evaluation required in s. 11.45(3)(j).

1781 (2) The activities, operations, and accomplishments of the
1782 Florida Development Finance Corporation, including the number of
1783 businesses assisted by the corporation.

1784 (3) Its assets, ~~and~~ liabilities, income, and operating
1785 expenses at the end of its most recent fiscal year, including a
1786 description of all of its outstanding revenue bonds.

1787 Section 54. Subsection (6) of section 292.05, Florida
1788 Statutes, is amended to read:

1789 292.05 Duties of Department of Veterans' Affairs.—

1790 (6) The department shall, by ~~on~~ December 31 of each year,
1791 submit ~~make~~ an annual written report to the Governor, the
1792 Cabinet, and the Legislature which describes: ~~of the state, the~~
1793 ~~Speaker of the House of Representatives, and the President of~~
1794 ~~the Senate, which report shall show~~

1795 (a) The expenses incurred in veteran service work in the
1796 state; the number, nature, and kind of cases handled by the
1797 department and by county and city veteran service officers of
1798 the state; the amounts of benefits obtained for veterans; the

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1799 names and addresses of all certified veteran service officers,
1800 including county and city veteran service officers. The report
1801 must ~~shall~~ also describe the actions taken by the department in
1802 implementing subsections (4), (5), and (7) and include ~~shall~~
1803 ~~contain such~~ other information and recommendations as ~~may appear~~
1804 ~~to~~ the department requires ~~to be right and proper~~.

1805 (b) The current status of the department's domiciliary and
1806 nursing homes established pursuant to chapter 296, including all
1807 receipts and expenditures, the condition of the homes, the
1808 number of residents received and discharged during the preceding
1809 year, occupancy rates, staffing, and any other information
1810 necessary to provide an understanding of the management,
1811 conduct, and operation of the homes.

1812 Section 55. Section 296.16, Florida Statutes, is repealed.

1813 Section 56. Section 296.39, Florida Statutes, is repealed.

1814 Section 57. Paragraph (c) of subsection (12) of section
1815 315.03, Florida Statutes, is repealed.

1816 Section 58. Subsection (2) of section 319.324, Florida
1817 Statutes, is amended to read:

1818 319.324 Odometer fraud prevention and detection; funding.-

1819 (2) Moneys deposited into the Highway Safety Operating
1820 Trust Fund under this section shall be used to implement and
1821 maintain efforts by the department to prevent and detect
1822 odometer fraud, including the prompt investigation of alleged
1823 instances of odometer mileage discrepancies reported by licensed
1824 motor vehicle dealers, auctions, or purchasers of motor
1825 vehicles. ~~Such moneys shall also be used to fund an annual~~
1826 ~~report to the Legislature by the Department of Highway Safety~~
1827 ~~and Motor Vehicles, summarizing the department's investigations~~

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1828 ~~and findings.~~ In addition, moneys deposited into the fund may be
1829 used by the department for general operations.

1830 Section 59. Section 322.181, Florida Statutes, is repealed.

1831 Section 60. Paragraph (c) of subsection (7) of section
1832 322.251, Florida Statutes, is repealed.

1833 Section 61. Section 373.0391, Florida Statutes, is amended
1834 to read:

1835 373.0391 Technical assistance to local governments.—

1836 ~~(1)~~ The water management districts shall assist local
1837 governments in the development and future revision of local
1838 government comprehensive plan elements or public facilities
1839 report as required by s. 189.415, related to water resource
1840 issues.

1841 ~~(2) By July 1, 1991, each water management district shall~~
1842 ~~prepare and provide information and data to assist local~~
1843 ~~governments in the preparation and implementation of their local~~
1844 ~~government comprehensive plans or public facilities report as~~
1845 ~~required by s. 189.415, whichever is applicable. Such~~
1846 ~~information and data shall include, but not be limited to:~~

1847 ~~(a) All information and data required in a public~~
1848 ~~facilities report pursuant to s. 189.415.~~

1849 ~~(b) A description of regulations, programs, and schedules~~
1850 ~~implemented by the district.~~

1851 ~~(c) Identification of regulations, programs, and schedules~~
1852 ~~undertaken or proposed by the district to further the State~~
1853 ~~Comprehensive Plan.~~

1854 ~~(d) A description of surface water basins, including~~
1855 ~~regulatory jurisdictions, flood-prone areas, existing and~~
1856 ~~projected water quality in water management district operated~~

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1857 ~~facilities, as well as surface water runoff characteristics and~~
1858 ~~topography regarding flood plains, wetlands, and recharge areas.~~

1859 ~~(e) A description of groundwater characteristics, including~~
1860 ~~existing and planned wellfield sites, existing and anticipated~~
1861 ~~cones of influence, highly productive groundwater areas, aquifer~~
1862 ~~recharge areas, deep well injection zones, contaminated areas,~~
1863 ~~an assessment of regional water resource needs and sources for~~
1864 ~~the next 20 years, and water quality.~~

1865 ~~(f) The identification of existing and potential water~~
1866 ~~management district land acquisitions.~~

1867 ~~(g) Information reflecting the minimum flows for surface~~
1868 ~~watercourses to avoid harm to water resources or the ecosystem~~
1869 ~~and information reflecting the minimum water levels for aquifers~~
1870 ~~to avoid harm to water resources or the ecosystem.~~

1871 Section 62. Subsection (4) of section 373.046, Florida
1872 Statutes, is amended to read:

1873 373.046 Interagency agreements.—

1874 (4) The Legislature recognizes and affirms the division of
1875 responsibilities between the department and the water management
1876 districts as set forth in ss. III. and X. of each of the
1877 operating agreements codified as rules 17-101.040(12)(a)3., 4.,
1878 and 5., Florida Administrative Code. Section IV.A.2.a. of each
1879 operating agreement regarding individual permit oversight is
1880 rescinded. The department is ~~shall be~~ responsible for permitting
1881 those activities under part IV of this chapter which, because of
1882 their complexity and magnitude, need to be economically and
1883 efficiently evaluated at the state level, including, but not
1884 limited to, mining, hazardous waste management facilities, and
1885 solid waste management facilities that do not qualify for a

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1886 general permit under chapter 403. With regard to
1887 postcertification information submittals for activities
1888 authorized under chapters 341 and 403 siting act certifications,
1889 the department, after consultation with the appropriate water
1890 management district and other agencies having applicable
1891 regulatory jurisdiction, shall determine ~~be responsible for~~
1892 ~~determining~~ the permittee's compliance with conditions of
1893 certification which are ~~were~~ based upon the nonprocedural
1894 requirements of part IV of this chapter. ~~The Legislature~~
1895 ~~authorizes~~ The water management districts and the department may
1896 ~~to~~ modify the division of responsibilities referenced in this
1897 section and enter into further interagency agreements by
1898 rulemaking, including incorporation by reference, pursuant to
1899 chapter 120, to provide for greater efficiency and to avoid
1900 duplication in the administration of part IV of this chapter by
1901 designating ~~certain~~ activities that ~~which~~ will be regulated by
1902 either the water management districts or the department. In
1903 developing such interagency agreements, the water management
1904 districts and the department shall consider ~~should take into~~
1905 ~~consideration~~ the technical and fiscal ability of each water
1906 management district to implement all or some of the provisions
1907 of part IV of this chapter. This subsection does not rescind or
1908 restrict ~~Nothing herein rescinds or restricts~~ the authority of
1909 the districts to regulate silviculture and agriculture pursuant
1910 to part IV of this chapter or s. 403.927. ~~By December 10, 1993,~~
1911 ~~the secretary of the department shall submit a report to the~~
1912 ~~President of the Senate and the Speaker of the House of~~
1913 ~~Representatives regarding the efficiency of the procedures and~~
1914 ~~the division of responsibilities contemplated by this subsection~~

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1915 ~~and regarding progress toward the execution of further~~
1916 ~~interagency agreements and the integration of permitting with~~
1917 ~~sovereignty lands approval. The report also will consider the~~
1918 ~~feasibility of improving the protection of the environment~~
1919 ~~through comprehensive criteria for protection of natural~~
1920 ~~systems.~~

1921 Section 63. Subsection (14) of section 376.121, Florida
1922 Statutes, is repealed.

1923 Section 64. Section 376.17, Florida Statutes, is repealed.

1924 Section 65. Subsection (5) of section 376.30713, Florida
1925 Statutes, is repealed.

1926 Section 66. Subsection (2) of section 379.2211, Florida
1927 Statutes, is amended to read:

1928 379.2211 Florida waterfowl permit revenues.—

1929 (2) The intent of this section is to expand waterfowl
1930 research and management and increase waterfowl populations in
1931 the state without detracting from other programs. The commission
1932 shall prepare and make available on its Internet website an
1933 annual report documenting the use of funds generated under ~~the~~
1934 ~~provisions of this section, to be submitted to the Governor, the~~
1935 ~~Speaker of the House of Representatives, and the President of~~
1936 ~~the Senate on or before September 1 of each year.~~

1937 Section 67. Subsection (2) of section 379.2212, Florida
1938 Statutes, is amended to read:

1939 379.2212 Florida wild turkey permit revenues.—

1940 (2) The intent of this section is to expand wild turkey
1941 research and management and to increase wild turkey populations
1942 in the state without detracting from other programs. The
1943 commission shall prepare and make available on its Internet

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1944 website an annual report documenting the use of funds generated
 1945 ~~under the provisions of this section, to be submitted to the~~
 1946 ~~Governor, the Speaker of the House of Representatives, and the~~
 1947 ~~President of the Senate on or before September 1 of each year.~~

1948 Section 68. Subsection (8) of section 379.2523, Florida
 1949 Statutes, is repealed.

1950 Section 69. Paragraph (a) of subsection (2) of section
 1951 380.06, Florida Statutes, is amended to read:

1952 380.06 Developments of regional impact.—

1953 (2) STATEWIDE GUIDELINES AND STANDARDS.—

1954 (a) The state land planning agency shall recommend to the
 1955 Administration Commission specific statewide guidelines and
 1956 standards for adoption pursuant to this subsection. The
 1957 Administration Commission shall by rule adopt statewide
 1958 guidelines and standards to be used in determining whether
 1959 particular developments shall undergo development-of-regional-
 1960 impact review. The statewide guidelines and standards previously
 1961 adopted by the Administration Commission and approved by the
 1962 Legislature shall remain in effect unless revised pursuant to
 1963 this section or superseded by other provisions of law. ~~Revisions~~
 1964 ~~to the present statewide guidelines and standards, after~~
 1965 ~~adoption by the Administration Commission, shall be transmitted~~
 1966 ~~on or before March 1 to the President of the Senate and the~~
 1967 ~~Speaker of the House of Representatives for presentation at the~~
 1968 ~~next regular session of the Legislature. Unless approved by law~~
 1969 ~~by the Legislature, the revisions to the present guidelines and~~
 1970 ~~standards shall not become effective.~~

1971 Section 70. Subsection (3) of section 380.0677, Florida
 1972 Statutes, is repealed.

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1973 Section 71. Subsection (3) of section 381.0011, Florida
 1974 Statutes, is repealed.

1975 Section 72. Section 381.0036, Florida Statutes, is
 1976 repealed.

1977 Section 73. Section 381.731, Florida Statutes, is repealed.

1978 Section 74. Section 381.795, Florida Statutes, is amended
 1979 to read:

1980 381.795 Long-term community-based supports.—The department
 1981 shall, contingent upon specific appropriations for these
 1982 purposes, establish+

1983 ~~(1) Study the long-term needs for community-based supports~~
 1984 ~~and services for individuals who have sustained traumatic brain~~
 1985 ~~or spinal cord injuries. The purpose of this study is to prevent~~
 1986 ~~inappropriate residential and institutional placement of these~~
 1987 ~~individuals, and promote placement in the most cost effective~~
 1988 ~~and least restrictive environment. Any placement recommendations~~
 1989 ~~for these individuals shall ensure full utilization of and~~
 1990 ~~collaboration with other state agencies, programs, and community~~
 1991 ~~partners. This study shall be submitted to the Governor, the~~
 1992 ~~President of the Senate, and the Speaker of the House of~~
 1993 ~~Representatives not later than December 31, 2000.~~

1994 ~~(2) Based upon the results of this study, establish a plan~~
 1995 ~~for the implementation of a program of long-term community-based~~
 1996 ~~supports and services for individuals who have sustained~~
 1997 ~~traumatic brain or spinal cord injuries and who may be subject~~
 1998 ~~to inappropriate residential and institutional placement as a~~
 1999 ~~direct result of such injuries.~~

2000 (1)(a) The program shall be payor of last resort for
 2001 program services, and expenditures for ~~such~~ services shall be

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2002 considered funded services for purposes of s. 381.785; however,
2003 notwithstanding s. 381.79(5), proceeds resulting from this
2004 subsection shall be used solely for this program.

2005 (2)~~(b)~~ The department shall adopt ~~create~~, by rule,
2006 procedures to ensure, that if ~~in the event~~ the program is unable
2007 to directly or indirectly provide ~~such~~ services to all eligible
2008 individuals due to lack of funds, those individuals most at risk
2009 of suffering ~~to suffer~~ the greatest harm from an imminent
2010 inappropriate residential or institutional placement are served
2011 first.

2012 (3)~~(e)~~ Every applicant or recipient of the long-term
2013 community-based supports and services program must ~~shall~~ have
2014 been a resident of the state for 1 year immediately preceding
2015 application and be a resident of the state at the time of
2016 application.

2017 (4)~~(d)~~ The department shall adopt rules ~~pursuant to ss.~~
2018 ~~120.536(1) and 120.54~~ to administer ~~implement the provision of~~
2019 this section ~~subsection~~.

2020 Section 75. Section 381.931, Florida Statutes, is amended
2021 to read:

2022 381.931 Annual report on Medicaid expenditures.—The
2023 Department of Health and the Agency for Health Care
2024 Administration shall monitor the total Medicaid expenditures for
2025 services made under this act. If Medicaid expenditures are
2026 projected to exceed the amount appropriated by the Legislature,
2027 the Department of Health shall limit the number of screenings to
2028 ensure Medicaid expenditures do not exceed the amount
2029 appropriated. ~~The Department of Health, in cooperation with the~~
2030 ~~Agency for Health Care Administration, shall prepare an annual~~

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2031 ~~report that must include the number of women screened; the~~
2032 ~~percentage of positive and negative outcomes; the number of~~
2033 ~~referrals to Medicaid and other providers for treatment~~
2034 ~~services; the estimated number of women who are not screened or~~
2035 ~~not served by Medicaid due to funding limitations, if any; the~~
2036 ~~cost of Medicaid treatment services; and the estimated cost of~~
2037 ~~treatment services for women who were not screened or referred~~
2038 ~~for treatment due to funding limitations. The report shall be~~
2039 ~~submitted to the President of the Senate, the Speaker of the~~
2040 ~~House of Representatives, and the Executive Office of the~~
2041 ~~Governor by March 1 of each year.~~

2042 Section 76. Subsection (6) of section 383.19, Florida
2043 Statutes, is amended to read:

2044 383.19 Standards; funding; ineligibility.-

2045 (6) Each hospital that ~~which~~ contracts with the department
2046 to provide services under the terms of ss. 383.15-383.21 shall
2047 prepare and submit to the department an annual report that
2048 includes, but is not limited to, the number of clients served
2049 and the costs of services in the center. The department shall
2050 annually conduct a programmatic and financial evaluation of each
2051 center.

2052 Section 77. Section 383.21, Florida Statutes, is repealed.

2053 Section 78. Section 383.2161, Florida Statutes, is amended
2054 to read:

2055 383.2161 Maternal and child health report.-The Department
2056 of Health ~~annually~~ shall annually compile and analyze the risk
2057 information collected by the Office of Vital Statistics and the
2058 district prenatal and infant care coalitions and shall maintain
2059 county and statewide data on ~~prepare and submit to the~~

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2060 ~~Legislature by January 2 a report that includes, but is not~~
2061 ~~limited to:~~

2062 (1) The number of families identified as families at
2063 potential risk;

2064 (2) The number of families receiving ~~that receive~~ family
2065 outreach services;

2066 (3) The increase in demand for services; and

2067 (4) The unmet need for services for identified target
2068 groups.

2069 Section 79. Subsection (4) of section 394.4573, Florida
2070 Statutes, is repealed.

2071 Section 80. Subsection (1) of section 394.4985, Florida
2072 Statutes, is amended to read:

2073 394.4985 Districtwide information and referral network;
2074 implementation.—

2075 (1) Each service district of the Department of Children and
2076 Family Services shall develop a detailed implementation plan for
2077 a districtwide comprehensive child and adolescent mental health
2078 information and referral network to be operational by July 1,
2079 1999. The plan must include an operating budget that
2080 demonstrates cost efficiencies and identifies funding sources
2081 for the district information and referral network. ~~The plan must~~
2082 ~~be submitted by the department to the Legislature by October 1,~~
2083 ~~1998.~~ The district shall use existing district information and
2084 referral providers if, in the development of the plan, it is
2085 concluded that these providers would deliver information and
2086 referral services in a more efficient and effective manner when
2087 compared to other alternatives. The district information and
2088 referral network must include:

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2089 (a) A resource file that contains information about the
2090 child and adolescent mental health services as described in s.
2091 394.495, including, but not limited to:

- 2092 1. Type of program;
- 2093 2. Hours of service;
- 2094 3. Ages of persons served;
- 2095 4. Program description;
- 2096 5. Eligibility requirements; and
- 2097 6. Fees.

2098 (b) Information about private providers and professionals
2099 in the community who ~~which~~ serve children and adolescents with
2100 an emotional disturbance.

2101 (c) A system to document requests for services which ~~that~~
2102 are received through the network referral process, including,
2103 but not limited to:

- 2104 1. Number of calls by type of service requested;
- 2105 2. Ages of the children and adolescents for whom services
2106 are requested; and
- 2107 3. Type of referral made by the network.

2108 (d) The ability to share client information with the
2109 appropriate community agencies.

2110 ~~(e) The submission of an annual report to the department,~~
2111 ~~the Agency for Health Care Administration, and appropriate local~~
2112 ~~government entities, which contains information about the~~
2113 ~~sources and frequency of requests for information, types and~~
2114 ~~frequency of services requested, and types and frequency of~~
2115 ~~referrals made.~~

2116 Section 81. Section 394.82, Florida Statutes, is repealed.

2117 Section 82. Subsection (9) of section 394.9082, Florida

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2118 Statutes, is repealed.

2119 Section 83. Section 394.9083, Florida Statutes, is
2120 repealed.

2121 Section 84. Paragraph (c) of subsection (2) of section
2122 395.807, Florida Statutes, is repealed.

2123 Section 85. Subsection (3) of section 397.332, Florida
2124 Statutes, is repealed.

2125 Section 86. Subsection (4) of section 397.333, Florida
2126 Statutes, is amended to read:

2127 397.333 Statewide Drug Policy Advisory Council.—

2128 (4) ~~(a)~~ The chairperson of the advisory council shall
2129 appoint workgroups that include members of state agencies that
2130 are not represented on the advisory council and shall solicit
2131 input and recommendations from those state agencies. ~~In~~
2132 ~~addition,~~ The chairperson may also appoint workgroups ~~as~~
2133 ~~necessary~~ from among the members of the advisory council in
2134 order to efficiently address specific issues. A representative
2135 of a state agency appointed to any workgroup shall be the head
2136 of the agency~~,~~ or his or her designee. The chairperson may
2137 designate lead and contributing agencies within a workgroup.

2138 ~~(b) The advisory council shall submit a report to the~~
2139 ~~Governor, the President of the Senate, and the Speaker of the~~
2140 ~~House of Representatives by December 1 of each year which~~
2141 ~~contains a summary of the work of the council during that year~~
2142 ~~and the recommendations required under subsection (3). Interim~~
2143 ~~reports may be submitted at the discretion of the chairperson of~~
2144 ~~the advisory council.~~

2145 Section 87. Subsection (1) of section 397.94, Florida
2146 Statutes, is repealed.

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2147 Section 88. Subsection (2) of section 400.148, Florida
2148 Statutes, is repealed.

2149 Section 89. Paragraph (a) of subsection (2) of section
2150 400.967, Florida Statutes, is amended to read:

2151 400.967 Rules and classification of deficiencies.—

2152 (2) Pursuant to the intention of the Legislature, the
2153 agency, in consultation with the Agency for Persons with
2154 Disabilities and the Department of Elderly Affairs, shall adopt
2155 and enforce rules to administer this part and part II of chapter
2156 408, which shall include reasonable and fair criteria governing:

2157 (a) The location and construction of the facility;
2158 including fire and life safety, plumbing, heating, cooling,
2159 lighting, ventilation, and other housing conditions that will
2160 ensure the health, safety, and comfort of residents. The agency
2161 shall establish standards for facilities and equipment to
2162 increase the extent to which new facilities and a new wing or
2163 floor added to an existing facility after July 1, 2000, are
2164 structurally capable of serving as shelters only for residents,
2165 staff, and families of residents and staff, and equipped to be
2166 self-supporting during and immediately following disasters. ~~The~~
2167 ~~Agency for Health Care Administration shall work with facilities~~
2168 ~~licensed under this part and report to the Governor and the~~
2169 ~~Legislature by April 1, 2000, its recommendations for cost-~~
2170 ~~effective renovation standards to be applied to existing~~
2171 ~~facilities. In making such rules, the agency shall be guided by~~
2172 ~~criteria recommended by nationally recognized, reputable~~
2173 ~~professional groups and associations having knowledge concerning~~
2174 ~~such subject matters.~~ The agency shall update or revise the such
2175 criteria as the need arises. All facilities must comply with

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2176 those lifesafety code requirements and building code standards
2177 applicable at the time of approval of their construction plans.
2178 The agency may require alterations to a building if it
2179 determines that an existing condition constitutes a distinct
2180 hazard to life, health, or safety. The agency shall adopt fair
2181 and reasonable rules setting forth conditions under which
2182 existing facilities undergoing additions, alterations,
2183 conversions, renovations, or repairs are required to comply with
2184 the most recent updated or revised standards.

2185 Section 90. Subsection (3) of section 402.3016, Florida
2186 Statutes, is repealed.

2187 Section 91. Subsection (9) of section 402.40, Florida
2188 Statutes, is repealed.

2189 Section 92. Subsection (1) of section 403.4131, Florida
2190 Statutes, is amended to read:

2191 403.4131 Litter control.—

2192 (1) The Department of Transportation shall establish an
2193 “adopt-a-highway” program to allow local organizations to be
2194 identified with specific highway cleanup and highway
2195 beautification projects authorized under s. 339.2405. ~~The~~
2196 ~~department shall report to the Governor and the Legislature on~~
2197 ~~the progress achieved and the savings incurred by the “adopt-a-~~
2198 ~~highway” program.~~ The department shall also monitor ~~and report~~
2199 ~~on~~ compliance with the provisions of the adopt-a-highway program
2200 to ensure that organizations participating ~~that participate~~ in
2201 the program comply with the goals identified by the department.

2202 Section 93. Paragraph (a) of subsection (4) of section
2203 406.02, Florida Statutes, is repealed.

2204 Section 94. Paragraph (g) of subsection (1) of section

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2205 408.033, Florida Statutes, is amended to read:

2206 408.033 Local and state health planning.—

2207 (1) LOCAL HEALTH COUNCILS.—

2208 (g) Each local health council may ~~is authorized to~~ accept
 2209 and receive, in furtherance of its health planning functions,
 2210 funds, grants, and services from governmental agencies and from
 2211 private or civic sources and to perform studies related to local
 2212 health planning in exchange for such funds, grants, or services.
 2213 Each ~~local health~~ council shall, no later than January 30 of
 2214 each year, render an accounting of the receipt and disbursement
 2215 of such funds received by it to the Department of Health. ~~The~~
 2216 ~~department shall consolidate all such reports and submit such~~
 2217 ~~consolidated report to the Legislature no later than March 1 of~~
 2218 ~~each year.~~

2219 Section 95. Subsection (4) of section 408.914, Florida
 2220 Statutes, is repealed.

2221 Section 96. Paragraph (i) of subsection (3) of section
 2222 408.915, Florida Statutes, is repealed.

2223 Section 97. Section 408.917, Florida Statutes, is repealed.

2224 Section 98. Paragraph (b) of subsection (7) of section
 2225 409.1451, Florida Statutes, is amended to read:

2226 409.1451 Independent living transition services.—

2227 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
 2228 Secretary of Children and Family Services shall establish the
 2229 Independent Living Services Advisory Council for the purpose of
 2230 reviewing and making recommendations concerning the
 2231 implementation and operation of the independent living
 2232 transition services. This advisory council shall continue to
 2233 function as specified in this subsection until the Legislature

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2234 determines that the advisory council can no longer provide a
2235 valuable contribution to the department's efforts to achieve the
2236 goals of the independent living transition services.

2237 (b) The advisory council shall report to the secretary
2238 ~~appropriate substantive committees of the Senate and the House~~
2239 ~~of Representatives~~ on the status of the implementation of the
2240 system of independent living transition services; efforts to
2241 publicize the availability of aftercare support services, the
2242 Road-to-Independence Program, and transitional support services;
2243 the success of the services; problems identified;
2244 recommendations for department or legislative action; and the
2245 department's implementation of the recommendations contained in
2246 the Independent Living Services Integration Workgroup Report
2247 submitted to the appropriate ~~Senate and the House~~ substantive
2248 committees of the Legislature by December 31, 2002. The
2249 department shall submit a report by December 31 of each year to
2250 the Governor and the Legislature ~~This advisory council report~~
2251 ~~shall be submitted by December 31 of each year that the council~~
2252 ~~is in existence and shall be accompanied by a report from the~~
2253 ~~department~~ which includes a summary of the factors reported on
2254 by the council and identifies the recommendations of the
2255 advisory council and either describes the department's actions
2256 to implement the ~~these~~ recommendations or provides the
2257 department's rationale for not implementing the recommendations.

2258 Section 99. Section 409.152, Florida Statutes, is repealed.

2259 Section 100. Subsections (1) and (2) of section 409.1679,
2260 Florida Statutes, are repealed.

2261 Section 101. Section 409.1685, Florida Statutes, is amended
2262 to read:

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2263 409.1685 Children in foster care; annual report to
2264 Legislature.—The Department of Children and Family Services
2265 shall submit a written report to the Governor and substantive
2266 ~~committees~~ of the Legislature concerning the status of children
2267 in foster care and ~~concerning~~ the judicial review mandated by
2268 part X of chapter 39. The ~~This~~ report shall be submitted by May
2269 ~~March~~ 1 of each year and must ~~shall~~ include the following
2270 information for the prior calendar year:

2271 (1) The number of 6-month and annual judicial reviews
2272 completed during that period.

2273 (2) The number of children in foster care returned to a
2274 parent, guardian, or relative as a result of a 6-month or annual
2275 judicial review hearing during that period.

2276 (3) The number of termination of parental rights
2277 proceedings instituted during that period, including ~~which shall~~
2278 ~~include~~:

2279 (a) The number of termination of parental rights
2280 proceedings initiated pursuant to former s. 39.703; and

2281 (b) The total number of terminations of parental rights
2282 ordered.

2283 (4) The number of foster care children placed for adoption
2284 ~~during that period~~.

2285 Section 102. Paragraph (k) of subsection (4) of section
2286 409.221, Florida Statutes, is repealed.

2287 Section 103. Paragraph (a) of subsection (3) of section
2288 409.25575, Florida Statutes, is amended to read:

2289 409.25575 Support enforcement; privatization.—

2290 (3) (a) The department shall establish a quality assurance
2291 program for the privatization of services. The ~~quality assurance~~

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2292 program must include standards for each specific component of
2293 these services. The department shall establish minimum
2294 thresholds for each component. Each program operated pursuant to
2295 contract must be evaluated annually by the department or by an
2296 objective competent entity designated by the department under
2297 the provisions of the quality assurance program. The evaluation
2298 must be financed from cost savings associated with the
2299 privatization of services. ~~The department shall submit an annual
2300 report regarding quality performance, outcome measure
2301 attainment, and cost efficiency to the President of the Senate,
2302 the Speaker of the House of Representatives, the Minority leader
2303 of each house of the Legislature, and the Governor no later than
2304 January 31 of each year, beginning in 1999.~~ The quality
2305 assurance program must be financed through administrative
2306 savings generated by this act.

2307 Section 104. Subsection (9) of section 409.2558, Florida
2308 Statutes, is amended to read:

2309 409.2558 Support distribution and disbursement.—

2310 (9) RULEMAKING AUTHORITY.—The department may adopt rules to
2311 administer this section. ~~The department shall provide a draft of
2312 the proposed concepts for the rule for the undistributable
2313 collections to interested parties for review and recommendations
2314 prior to full development of the rule and initiating the formal
2315 rule-development process. The department shall consider but is
2316 not required to implement the recommendations. The department
2317 shall provide a report to the President of the Senate and the
2318 Speaker of the House of Representatives containing the
2319 recommendations received from interested parties and the
2320 department's response regarding incorporating the~~

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2321 ~~recommendations into the rule.~~

2322 Section 105. Subsection (3) of section 409.441, Florida
2323 Statutes, is repealed.

2324 Section 106. Subsection (24) of section 409.906, Florida
2325 Statutes, is amended to read:

2326 409.906 Optional Medicaid services.—Subject to specific
2327 appropriations, the agency may make payments for services which
2328 are optional to the state under Title XIX of the Social Security
2329 Act and are furnished by Medicaid providers to recipients who
2330 are determined to be eligible on the dates on which the services
2331 were provided. Any optional service that is provided shall be
2332 provided only when medically necessary and in accordance with
2333 state and federal law. Optional services rendered by providers
2334 in mobile units to Medicaid recipients may be restricted or
2335 prohibited by the agency. Nothing in this section shall be
2336 construed to prevent or limit the agency from adjusting fees,
2337 reimbursement rates, lengths of stay, number of visits, or
2338 number of services, or making any other adjustments necessary to
2339 comply with the availability of moneys and any limitations or
2340 directions provided for in the General Appropriations Act or
2341 chapter 216. If necessary to safeguard the state's systems of
2342 providing services to elderly and disabled persons and subject
2343 to the notice and review provisions of s. 216.177, the Governor
2344 may direct the Agency for Health Care Administration to amend
2345 the Medicaid state plan to delete the optional Medicaid service
2346 known as "Intermediate Care Facilities for the Developmentally
2347 Disabled." Optional services may include:

2348 (24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency for
2349 Health Care Administration, in consultation with the Department

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2350 of Children and Family Services, may establish a targeted case-
2351 management project in those counties identified by the
2352 Department of Children and Family Services and for all counties
2353 with a community-based child welfare project, as authorized
2354 under s. 409.1671, which have been specifically approved by the
2355 department. ~~Results of targeted case management projects shall~~
2356 ~~be reported to the Social Services Estimating Conference~~
2357 ~~established under s. 216.136.~~ The covered group of individuals
2358 who are eligible to receive targeted case management include
2359 children who are eligible for Medicaid; who are between the ages
2360 of birth through 21; and who are under protective supervision or
2361 postplacement supervision, under foster-care supervision, or in
2362 shelter care or foster care. The number of individuals who are
2363 eligible to receive targeted case management is ~~shall be~~ limited
2364 to the number for whom the Department of Children and Family
2365 Services has ~~available~~ matching funds to cover the costs. The
2366 general revenue funds required to match the funds for services
2367 provided by the community-based child welfare projects are
2368 limited to funds available for services described under s.
2369 409.1671. The Department of Children and Family Services may
2370 transfer the general revenue matching funds as billed by the
2371 Agency for Health Care Administration.

2372 Section 107. Paragraph (b) of subsection (4), subsections
2373 (29) and (44), and paragraph (c) of subsection (49) of section
2374 409.912, Florida Statutes, are amended to read:

2375 409.912 Cost-effective purchasing of health care.—The
2376 agency shall purchase goods and services for Medicaid recipients
2377 in the most cost-effective manner consistent with the delivery
2378 of quality medical care. To ensure that medical services are

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2379 effectively utilized, the agency may, in any case, require a
2380 confirmation or second physician's opinion of the correct
2381 diagnosis for purposes of authorizing future services under the
2382 Medicaid program. This section does not restrict access to
2383 emergency services or poststabilization care services as defined
2384 in 42 C.F.R. part 438.114. Such confirmation or second opinion
2385 shall be rendered in a manner approved by the agency. The agency
2386 shall maximize the use of prepaid per capita and prepaid
2387 aggregate fixed-sum basis services when appropriate and other
2388 alternative service delivery and reimbursement methodologies,
2389 including competitive bidding pursuant to s. 287.057, designed
2390 to facilitate the cost-effective purchase of a case-managed
2391 continuum of care. The agency shall also require providers to
2392 minimize the exposure of recipients to the need for acute
2393 inpatient, custodial, and other institutional care and the
2394 inappropriate or unnecessary use of high-cost services. The
2395 agency shall contract with a vendor to monitor and evaluate the
2396 clinical practice patterns of providers in order to identify
2397 trends that are outside the normal practice patterns of a
2398 provider's professional peers or the national guidelines of a
2399 provider's professional association. The vendor must be able to
2400 provide information and counseling to a provider whose practice
2401 patterns are outside the norms, in consultation with the agency,
2402 to improve patient care and reduce inappropriate utilization.
2403 The agency may mandate prior authorization, drug therapy
2404 management, or disease management participation for certain
2405 populations of Medicaid beneficiaries, certain drug classes, or
2406 particular drugs to prevent fraud, abuse, overuse, and possible
2407 dangerous drug interactions. The Pharmaceutical and Therapeutics

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2408 Committee shall make recommendations to the agency on drugs for
2409 which prior authorization is required. The agency shall inform
2410 the Pharmaceutical and Therapeutics Committee of its decisions
2411 regarding drugs subject to prior authorization. The agency is
2412 authorized to limit the entities it contracts with or enrolls as
2413 Medicaid providers by developing a provider network through
2414 provider credentialing. The agency may competitively bid single-
2415 source-provider contracts if procurement of goods or services
2416 results in demonstrated cost savings to the state without
2417 limiting access to care. The agency may limit its network based
2418 on the assessment of beneficiary access to care, provider
2419 availability, provider quality standards, time and distance
2420 standards for access to care, the cultural competence of the
2421 provider network, demographic characteristics of Medicaid
2422 beneficiaries, practice and provider-to-beneficiary standards,
2423 appointment wait times, beneficiary use of services, provider
2424 turnover, provider profiling, provider licensure history,
2425 previous program integrity investigations and findings, peer
2426 review, provider Medicaid policy and billing compliance records,
2427 clinical and medical record audits, and other factors. Providers
2428 shall not be entitled to enrollment in the Medicaid provider
2429 network. The agency shall determine instances in which allowing
2430 Medicaid beneficiaries to purchase durable medical equipment and
2431 other goods is less expensive to the Medicaid program than long-
2432 term rental of the equipment or goods. The agency may establish
2433 rules to facilitate purchases in lieu of long-term rentals in
2434 order to protect against fraud and abuse in the Medicaid program
2435 as defined in s. 409.913. The agency may seek federal waivers
2436 necessary to administer these policies.

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2437 (4) The agency may contract with:
2438 (b) An entity that is providing comprehensive behavioral
2439 health care services to specified ~~certain~~ Medicaid recipients
2440 through a capitated, prepaid arrangement pursuant to the federal
2441 waiver in ~~provided for by~~ s. 409.905(5). The ~~Such~~ entity must be
2442 licensed under chapter 624, chapter 636, or chapter 641, or
2443 authorized under paragraph (c), and must possess the clinical
2444 systems and operational competence to manage risk and provide
2445 comprehensive behavioral health care to Medicaid recipients. As
2446 used in this paragraph, the term "comprehensive behavioral
2447 health care services" means covered mental health and substance
2448 abuse treatment services that are available to Medicaid
2449 recipients. The Secretary of ~~the Department of~~ Children and
2450 Family Services shall approve ~~provisions of~~ procurements related
2451 to children in the department's care or custody before enrolling
2452 such children in a prepaid behavioral health plan. A ~~Any~~
2453 contract awarded under this paragraph must be competitively
2454 procured. ~~In developing~~ The behavioral health care prepaid plan
2455 procurement document must require, ~~the agency shall ensure that~~
2456 ~~the procurement document requires~~ the contractor to develop and
2457 implement a plan that ensures ~~to ensure~~ compliance with s.
2458 394.4574 related to services provided to residents of licensed
2459 assisted living facilities that hold a limited mental health
2460 license. Except as provided in subparagraph 8., and except in
2461 counties where the Medicaid managed care pilot program is
2462 authorized pursuant to s. 409.91211, the agency shall seek
2463 federal approval to contract with a single entity meeting the
2464 ~~these~~ requirements to provide comprehensive behavioral health
2465 care services to all Medicaid recipients not enrolled in a

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2466 Medicaid managed care plan authorized under s. 409.91211 or a
2467 Medicaid health maintenance organization in an agency ~~AHCA~~ area.
2468 In an agency ~~AHCA~~ area where the Medicaid managed care pilot
2469 program is authorized pursuant to s. 409.91211 in one or more
2470 counties, the agency may procure a contract with a single entity
2471 to serve the remaining counties as an agency ~~AHCA~~ area or the
2472 remaining counties may be included with an adjacent agency ~~AHCA~~
2473 area and are subject to this paragraph. Each entity must offer a
2474 sufficient choice of providers in its network to ensure
2475 recipient access to care and the opportunity to select a
2476 provider with whom the recipient is ~~they are~~ satisfied. The
2477 network must ~~shall~~ include all public mental health hospitals.
2478 To ensure unimpaired access to behavioral health care services
2479 by Medicaid recipients, all contracts issued pursuant to this
2480 paragraph must require 80 percent of the capitation paid to the
2481 managed care plan, including health maintenance organizations,
2482 to be expended for ~~the provision of~~ behavioral health care
2483 services. If the managed care plan expends less than 80 percent
2484 ~~of the capitation paid for the provision of behavioral health~~
2485 ~~care services~~, the difference must ~~shall~~ be returned to the
2486 agency. The agency shall provide the plan with a certification
2487 letter indicating the amount of capitation paid during each
2488 calendar year for behavioral health care services pursuant to
2489 this section. The agency may reimburse for substance abuse
2490 treatment services on a fee-for-service basis until the agency
2491 finds that adequate funds are available for capitated, prepaid
2492 arrangements.

2493 1. ~~By January 1, 2001, the agency shall modify the~~
2494 Contracts with the entities providing comprehensive inpatient

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2495 and outpatient mental health care services to Medicaid
2496 recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk
2497 Counties must, ~~to~~ include substance abuse treatment services.

2498 2. ~~By July 1, 2003,~~ The agency and the Department of
2499 Children and Family Services shall execute a written agreement
2500 that requires collaboration and joint development of all policy,
2501 budgets, procurement documents, contracts, and monitoring plans
2502 that have an impact on the state and Medicaid community mental
2503 health and targeted case management programs.

2504 3. Except as provided in subparagraph 8., ~~by July 1, 2006,~~
2505 the agency and the Department of Children and Family Services
2506 shall contract with managed care entities in each agency AHCA
2507 area except area 6 or arrange to provide comprehensive inpatient
2508 and outpatient mental health and substance abuse services
2509 through capitated prepaid arrangements to all Medicaid
2510 recipients who are eligible to participate in such plans under
2511 federal law ~~and regulation~~. In agency AHCA areas where the
2512 eligible population is fewer individuals number less than
2513 150,000, the agency shall contract with a single managed care
2514 plan to provide comprehensive behavioral health services to all
2515 recipients who are not enrolled in a Medicaid health maintenance
2516 organization or a Medicaid capitated managed care plan
2517 authorized under s. 409.91211. The agency may contract with more
2518 than one comprehensive behavioral health provider ~~to provide~~
2519 ~~care to recipients who are not enrolled in a Medicaid capitated~~
2520 ~~managed care plan authorized under s. 409.91211 or a Medicaid~~
2521 ~~health maintenance organization in agency AHCA~~ areas where the
2522 eligible population exceeds 150,000. In an agency AHCA area
2523 where the Medicaid managed care pilot program is authorized

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2524 pursuant to s. 409.91211 in one or more counties, the agency may
2525 procure a contract with a single entity to serve the remaining
2526 counties as an agency ~~AHCA~~ area or the remaining counties may be
2527 included with an adjacent agency ~~AHCA~~ area and shall be subject
2528 to this paragraph. Contracts for comprehensive behavioral health
2529 providers awarded pursuant to this section shall be
2530 competitively procured. ~~Both~~ For-profit and not-for-profit
2531 corporations are eligible to compete. Managed care plans
2532 contracting with the agency under subsection (3) shall provide
2533 and receive payment for the same comprehensive behavioral health
2534 benefits as provided in agency ~~AHCA~~ rules, including handbooks
2535 incorporated by reference. In agency ~~AHCA~~ area 11, the agency
2536 shall contract with at least two comprehensive behavioral health
2537 care providers to provide behavioral health care to recipients
2538 in that area who are enrolled in, or assigned to, the MediPass
2539 program. One of the behavioral health care contracts must be
2540 with the existing provider service network pilot project, as
2541 described in paragraph (d), for the purpose of demonstrating the
2542 cost-effectiveness of the provision of quality mental health
2543 services through a public hospital-operated managed care model.
2544 Payment must ~~shall~~ be at an agreed-upon capitated rate to ensure
2545 cost savings. Of the recipients in area 11 who are assigned to
2546 MediPass under s. 409.9122(2)(k), a minimum of 50,000 must ~~of~~
2547 ~~those MediPass-enrolled recipients shall~~ be assigned to the
2548 existing provider service network in area 11 for their
2549 behavioral care.

2550 ~~4. By October 1, 2003, the agency and the department shall~~
2551 ~~submit a plan to the Governor, the President of the Senate, and~~
2552 ~~the Speaker of the House of Representatives which provides for~~

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2553 ~~the full implementation of capitated prepaid behavioral health~~
2554 ~~care in all areas of the state.~~

2555 ~~a. Implementation shall begin in 2003 in those AHCA areas~~
2556 ~~of the state where the agency is able to establish sufficient~~
2557 ~~capitation rates.~~

2558 ~~4.b.~~ If the agency determines that the proposed capitation
2559 rate in an ~~any~~ area is insufficient to provide appropriate
2560 services, the agency may adjust the capitation rate to ensure
2561 that care is ~~will be~~ available. The agency and the department
2562 may use existing general revenue to address any additional
2563 required match but may not over-obligate existing funds on an
2564 annualized basis.

2565 ~~e.~~ Subject to ~~any~~ limitations provided in the General
2566 Appropriations Act, the agency, in compliance with appropriate
2567 federal authorization, shall develop policies and procedures
2568 that allow for certification of local and state funds.

2569 5. Children residing in a statewide inpatient psychiatric
2570 program, or in a Department of Juvenile Justice or a Department
2571 of Children and Family Services residential program approved as
2572 a Medicaid behavioral health overlay services provider may not
2573 be included in a behavioral health care prepaid health plan or
2574 any other Medicaid managed care plan pursuant to this paragraph.

2575 6. In converting to a prepaid system of delivery, the
2576 agency ~~shall~~ in its procurement document shall require an entity
2577 providing only comprehensive behavioral health care services to
2578 prevent the displacement of indigent care patients by enrollees
2579 in the Medicaid prepaid health plan providing behavioral health
2580 care services from facilities receiving state funding to provide
2581 indigent behavioral health care, to facilities licensed under

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2582 chapter 395 which do not receive state funding for indigent
2583 behavioral health care, or reimburse the unsubsidized facility
2584 for the cost of behavioral health care provided to the displaced
2585 indigent care patient.

2586 7. Traditional community mental health providers under
2587 contract with the Department of Children and Family Services
2588 pursuant to part IV of chapter 394, child welfare providers
2589 under contract with the Department of Children and Family
2590 Services in areas 1 and 6, and inpatient mental health providers
2591 licensed under ~~pursuant to~~ chapter 395 must be offered an
2592 opportunity to accept or decline a contract to participate in
2593 any provider network for prepaid behavioral health services.

2594 8. All Medicaid-eligible children, except children in area
2595 1 and children in Highlands County, Hardee County, Polk County,
2596 or Manatee County of area 6, that are open for child welfare
2597 services in the HomeSafeNet system, shall receive their
2598 behavioral health care services through a specialty prepaid plan
2599 operated by community-based lead agencies through a single
2600 agency or formal agreements among several agencies. The
2601 specialty prepaid plan must result in savings to the state
2602 comparable to savings achieved in other Medicaid managed care
2603 and prepaid programs. The ~~Such~~ plan must provide mechanisms to
2604 maximize state and local revenues. The agency and the Department
2605 of Children and Family Services ~~specialty prepaid plan~~ shall
2606 develop the specialty prepaid plan ~~be developed by the agency~~
2607 ~~and the Department of Children and Family Services~~. The agency
2608 may seek federal waivers to implement this initiative. Medicaid-
2609 eligible children whose cases are open for child welfare
2610 services in the HomeSafeNet system and who reside in agency AHCA

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2611 area 10 are exempt from the specialty prepaid plan upon the
2612 development of a service delivery mechanism for children who
2613 reside in area 10 as specified in s. 409.91211(3)(dd).

2614 (29) The agency shall perform enrollments and
2615 disenrollments for Medicaid recipients who are eligible for
2616 MediPass or managed care plans. Notwithstanding the prohibition
2617 contained in paragraph (21)(f), managed care plans may perform
2618 preenrollments of Medicaid recipients under the supervision of
2619 the agency or its agents. For the purposes of this section, the
2620 term "preenrollment" means the provision of marketing and
2621 educational materials to a Medicaid recipient and assistance in
2622 completing the application forms, but does ~~shall~~ not include
2623 actual enrollment into a managed care plan. An application for
2624 enrollment may ~~shall~~ not be deemed complete until the agency or
2625 its agent verifies that the recipient made an informed,
2626 voluntary choice. The agency, in cooperation with the Department
2627 of Children and Family Services, may test new marketing
2628 initiatives to inform Medicaid recipients about their managed
2629 care options at selected sites. ~~The agency shall report to the~~
2630 ~~Legislature on the effectiveness of such initiatives.~~ The agency
2631 may contract with a third party to perform managed care plan and
2632 MediPass enrollment and disenrollment services for Medicaid
2633 recipients and may ~~is authorized to~~ adopt rules to administer
2634 ~~implement~~ such services. The agency may adjust the capitation
2635 rate only to cover the costs of a third-party enrollment and
2636 disenrollment contract, and for agency supervision and
2637 management of the managed care plan enrollment and disenrollment
2638 contract.

2639 (44) The Agency for Health Care Administration shall ensure

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2640 that any Medicaid managed care plan as defined in s.
2641 409.9122(2)(f), whether paid on a capitated basis or a shared
2642 savings basis, is cost-effective. For purposes of this
2643 subsection, the term "cost-effective" means that a network's
2644 per-member, per-month costs to the state, including, but not
2645 limited to, fee-for-service costs, administrative costs, and
2646 case-management fees, if any, must be no greater than the
2647 state's costs associated with contracts for Medicaid services
2648 established under subsection (3), which may be adjusted for
2649 health status. The agency shall conduct actuarially sound
2650 adjustments for health status in order to ensure such cost-
2651 effectiveness and shall annually publish the results on its
2652 Internet website ~~and submit the results annually to the~~
2653 ~~Governor, the President of the Senate, and the Speaker of the~~
2654 ~~House of Representatives no later than December 31 of each year.~~
2655 Contracts established pursuant to this subsection which are not
2656 cost-effective may not be renewed.

2657 (49) The agency shall contract with established minority
2658 physician networks that provide services to historically
2659 underserved minority patients. The networks must provide cost-
2660 effective Medicaid services, comply with the requirements to be
2661 a MediPass provider, and provide their primary care physicians
2662 with access to data and other management tools necessary to
2663 assist them in ensuring the appropriate use of services,
2664 including inpatient hospital services and pharmaceuticals.

2665 (c) For purposes of this subsection, the term "cost-
2666 effective" means that a network's per-member, per-month costs to
2667 the state, including, but not limited to, fee-for-service costs,
2668 administrative costs, and case-management fees, if any, must be

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2669 no greater than the state's costs associated with contracts for
2670 Medicaid services established under subsection (3), which shall
2671 be actuarially adjusted for case mix, model, and service area.
2672 The agency shall conduct actuarially sound audits adjusted for
2673 case mix and model in order to ensure such cost-effectiveness
2674 and shall annually publish the audit results on its Internet
2675 website and ~~submit the audit results annually to the Governor,~~
2676 ~~the President of the Senate, and the Speaker of the House of~~
2677 ~~Representatives no later than December 31.~~ Contracts established
2678 pursuant to this subsection which are not cost-effective may not
2679 be renewed.

2680 Section 108. Section 410.0245, Florida Statutes, is
2681 repealed.

2682 Section 109. Subsection (10) of section 410.604, Florida
2683 Statutes, is repealed.

2684 Section 110. Paragraph (d) of subsection (5) of section
2685 411.0102, Florida Statutes, is amended to read:

2686 411.0102 Child Care Executive Partnership Act; findings and
2687 intent; grant; limitation; rules.-

2688 (5)

2689 (d) Each early learning coalition shall ~~be required to~~
2690 establish a community child care task force for each child care
2691 purchasing pool. The task force must be composed of employers,
2692 parents, private child care providers, and one representative
2693 from the local children's services council, if one exists in the
2694 area of the purchasing pool. The early learning coalition is
2695 expected to recruit the task force members from existing child
2696 care councils, commissions, or task forces already operating in
2697 the area of a purchasing pool. A majority of the task force

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2698 shall consist of employers. ~~Each task force shall develop a plan~~
2699 ~~for the use of child care purchasing pool funds. The plan must~~
2700 ~~show how many children will be served by the purchasing pool,~~
2701 ~~how many will be new to receiving child care services, and how~~
2702 ~~the early learning coalition intends to attract new employers~~
2703 ~~and their employees to the program.~~

2704 Section 111. Section 411.221, Florida Statutes, is
2705 repealed.

2706 Section 112. Section 411.242, Florida Statutes, is
2707 repealed.

2708 Section 113. Section 414.14, Florida Statutes, is amended
2709 to read:

2710 414.14 Public assistance policy simplification.—To the
2711 extent possible, the department shall align the requirements for
2712 eligibility under this chapter with the food stamp program and
2713 medical assistance eligibility policies and procedures to
2714 simplify the budgeting process and reduce errors. If the
2715 department determines that s. 414.075, relating to resources, or
2716 s. 414.085, relating to income, is inconsistent with ~~related~~
2717 ~~provisions of federal law governing which govern~~ the food stamp
2718 program or medical assistance, and that conformance to federal
2719 law would simplify administration of the WAGES Program or reduce
2720 errors without materially increasing the cost of the program to
2721 the state, the secretary of the department may propose a change
2722 in the resource or income requirements of the program by rule.
2723 ~~The secretary shall provide written notice to the President of~~
2724 ~~the Senate, the Speaker of the House of Representatives, and the~~
2725 ~~chairpersons of the relevant committees of both houses of the~~
2726 ~~Legislature summarizing the proposed modifications to be made by~~

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2727 ~~rule and changes necessary to conform state law to federal law.~~
 2728 ~~The proposed rule shall take effect 14 days after written notice~~
 2729 ~~is given unless the President of the Senate or the Speaker of~~
 2730 ~~the House of Representatives advises the secretary that the~~
 2731 ~~proposed rule exceeds the delegated authority of the~~
 2732 ~~Legislature.~~

2733 Section 114. Subsection (1) of section 414.36, Florida
 2734 Statutes, is repealed.

2735 Section 115. Subsection (3) of section 414.391, Florida
 2736 Statutes, is repealed.

2737 Section 116. Subsection (6) of section 415.1045, Florida
 2738 Statutes, is amended to read:

2739 415.1045 Photographs, videotapes, and medical examinations;
 2740 abrogation of privileged communications; confidential records
 2741 and documents.—

2742 (6) WORKING AGREEMENTS. ~~By March 1, 2004,~~ The department
 2743 shall enter into working agreements with the jurisdictionally
 2744 responsible county sheriff's ~~sheriffs'~~ office or local police
 2745 department that will be the lead agency for ~~when~~ conducting any
 2746 criminal investigation arising from an allegation of abuse,
 2747 neglect, or exploitation of a vulnerable adult. The working
 2748 agreement must specify how the requirements of this chapter will
 2749 be met. ~~The Office of Program Policy Analysis and Government~~
 2750 ~~Accountability shall conduct a review of the efficacy of the~~
 2751 ~~agreements and report its findings to the Legislature by March~~
 2752 ~~1, 2005.~~ For the purposes of such agreement, the
 2753 jurisdictionally responsible law enforcement entity may ~~is~~
 2754 ~~authorized to~~ share Florida criminal history and local criminal
 2755 history information that is not otherwise exempt from s.

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2756 119.07(1) with the district personnel. A law enforcement entity
 2757 entering into such agreement must comply with s. 943.0525.
 2758 Criminal justice information provided by the ~~such~~ law
 2759 enforcement entity may ~~shall~~ be used only for the purposes
 2760 specified in the agreement and shall be provided at no charge.
 2761 Notwithstanding any other provision of law, the Department of
 2762 Law Enforcement shall provide to the department electronic
 2763 access to Florida criminal justice information that ~~which~~ is
 2764 lawfully available and not exempt from s. 119.07(1), only for
 2765 the purpose of protective investigations and emergency
 2766 placement. As a condition of access to the ~~such~~ information, the
 2767 department shall ~~be required to~~ execute an appropriate user
 2768 agreement addressing the access, use, dissemination, and
 2769 destruction of such information and ~~to~~ comply with all
 2770 applicable laws and rules of the Department of Law Enforcement.

2771 Section 117. Subsection (9) of section 420.622, Florida
 2772 Statutes, is amended to read:

2773 420.622 State Office on Homelessness; Council on
 2774 Homelessness.—

2775 (9) The council shall, by June 30 of each year, beginning
 2776 in 2010, provide ~~issue~~ to the Governor, the Legislature
 2777 ~~President of the Senate, the Speaker of the House of~~
 2778 ~~Representatives,~~ and the Secretary of Children and Family
 2779 ~~Services an evaluation of the executive director's performance~~
 2780 ~~in fulfilling the statutory duties of the office,~~ a report
 2781 summarizing the extent of homelessness in the state and the
 2782 ~~council's recommendations to the office and the corresponding~~
 2783 ~~actions taken by the office, and any recommendations to the~~
 2784 Legislature for reducing ~~proposals to reduce~~ homelessness in

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2785 this state.

2786 Section 118. Subsection (4) of section 420.623, Florida
2787 Statutes, is repealed.

2788 Section 119. Subsection (9) of section 427.704, Florida
2789 Statutes, is amended to read:

2790 427.704 Powers and duties of the commission.—

2791 (9) The commission shall prepare ~~provide to the President~~
2792 ~~of the Senate and to the Speaker of the House of Representatives~~
2793 an annual report on the operation of the telecommunications
2794 access system which shall be available on the commission's
2795 Internet website. ~~The first report shall be provided no later~~
2796 ~~than January 1, 1992, and successive reports shall be provided~~
2797 ~~by January 1 of each year thereafter.~~ Reports must ~~shall~~ be
2798 prepared in consultation with the administrator and the advisory
2799 committee appointed pursuant to s. 427.706. The reports must
2800 ~~shall~~, at a minimum, briefly outline the status of developments
2801 in ~~of~~ the telecommunications access system, the number of
2802 persons served, the call volume, revenues and expenditures, the
2803 allocation of the revenues and expenditures between provision of
2804 specialized telecommunications devices to individuals and
2805 operation of statewide relay service, other major policy or
2806 operational issues, and proposals for improvements or changes to
2807 the telecommunications access system.

2808 Section 120. Subsection (2) of section 427.706, Florida
2809 Statutes, is amended to read:

2810 427.706 Advisory committee.—

2811 (2) The advisory committee shall provide the expertise,
2812 experience, and perspective of persons who are hearing impaired
2813 or speech impaired to the commission and to the administrator

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2814 during all phases of the development and operation of the
2815 telecommunications access system. The advisory committee shall
2816 advise the commission and the administrator on ~~any matter~~
2817 ~~relating to~~ the quality and cost-effectiveness of the
2818 telecommunications relay service and the specialized
2819 telecommunications devices distribution system. The advisory
2820 committee may submit material for inclusion in the annual report
2821 prepared pursuant to s. 427.704 ~~to the President of the Senate~~
2822 ~~and the Speaker of the House of Representatives.~~

2823 Section 121. Paragraph (b) of subsection (3) of section
2824 429.07, Florida Statutes, is amended to read:

2825 429.07 License required; fee.—

2826 (3) In addition to the requirements of s. 408.806, each
2827 license granted by the agency must state the type of care for
2828 which the license is granted. Licenses shall be issued for one
2829 or more of the following categories of care: standard, extended
2830 congregate care, limited nursing services, or limited mental
2831 health.

2832 (b) An extended congregate care license shall be issued to
2833 facilities providing, directly or through contract, services
2834 beyond those authorized in paragraph (a), including services
2835 performed by persons licensed under acts performed pursuant to
2836 part I of chapter 464 ~~by persons licensed thereunder,~~ and
2837 supportive services, as defined by rule, to persons who would
2838 otherwise ~~would~~ be disqualified from continued residence in a
2839 facility licensed under this part.

2840 1. In order for extended congregate care services to be
2841 provided ~~in a facility licensed under this part,~~ the agency must
2842 first determine that all requirements established in law and

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2843 rule are met and must specifically designate, on the facility's
2844 license, that such services may be provided and whether the
2845 designation applies to all or part of the a facility. Such
2846 designation may be made at the time of initial licensure or
2847 relicensure, or upon request in writing by a licensee under this
2848 part and part II of chapter 408. The notification of approval or
2849 the denial of the ~~such~~ request shall be made in accordance with
2850 part II of chapter 408. Existing facilities qualifying to
2851 provide extended congregate care services must have maintained a
2852 standard license and may not have been subject to administrative
2853 sanctions during the previous 2 years, or since initial
2854 licensure if the facility has been licensed for less than 2
2855 years, for any of the following reasons:

- 2856 a. A class I or class II violation;
- 2857 b. Three or more repeat or recurring class III violations
2858 of identical or similar resident care standards ~~as specified in~~
2859 ~~rule~~ from which a pattern of noncompliance is found by the
2860 agency;
- 2861 c. Three or more class III violations that were not
2862 corrected in accordance with the corrective action plan approved
2863 by the agency;
- 2864 d. Violation of resident care standards which results in
2865 requiring the facility ~~resulting in a requirement~~ to employ the
2866 services of a consultant pharmacist or consultant dietitian;
- 2867 e. Denial, suspension, or revocation of a license for
2868 another facility licensed under this part in which the applicant
2869 for an extended congregate care license has at least 25 percent
2870 ownership interest; or
- 2871 f. Imposition of a moratorium pursuant to this part or part

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2872 II of chapter 408 or initiation of injunctive proceedings.

2873 2. A facility that is ~~Facilities that are~~ licensed to

2874 provide extended congregate care services shall maintain a

2875 written progress report on each person who receives ~~such~~

2876 ~~services,~~ which ~~report~~ describes the type, amount, duration,

2877 scope, and outcome of services that are rendered and the general

2878 status of the resident's health. A registered nurse, or

2879 appropriate designee, representing the agency shall visit the

2880 facility ~~such facilities~~ at least quarterly to monitor residents

2881 who are receiving extended congregate care services and to

2882 determine if the facility is in compliance with this part, part

2883 II of chapter 408, and relevant rules ~~that relate to extended~~

2884 ~~congregate care~~. One of the ~~these~~ visits may be in conjunction

2885 with the regular survey. The monitoring visits may be provided

2886 through contractual arrangements with appropriate community

2887 agencies. A registered nurse shall serve as part of the team

2888 that inspects the ~~such~~ facility. The agency may waive one of the

2889 required yearly monitoring visits for a facility that has been

2890 licensed for at least 24 months to provide extended congregate

2891 care services, if, during the inspection, the registered nurse

2892 determines that extended congregate care services are being

2893 provided appropriately, and if the facility has no class I or

2894 class II violations and no uncorrected class III violations.

2895 ~~Before such decision is made,~~ The agency must first ~~shall~~

2896 consult with the long-term care ombudsman council for the area

2897 in which the facility is located to determine if any complaints

2898 have been made and substantiated about the quality of services

2899 or care. The agency may not waive one of the required yearly

2900 monitoring visits if complaints have been made and

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2901 substantiated.

2902 3. A facility ~~Facilities~~ that is ~~are~~ licensed to provide
2903 extended congregate care services must ~~shall~~:

2904 a. Demonstrate the capability to meet unanticipated
2905 resident service needs.

2906 b. Offer a physical environment that promotes a homelike
2907 setting, provides for resident privacy, promotes resident
2908 independence, and allows sufficient congregate space as defined
2909 by rule.

2910 c. Have sufficient staff available, taking into account the
2911 physical plant and firesafety features of the building, to
2912 assist with the evacuation of residents in an emergency, ~~as~~
2913 ~~necessary~~.

2914 d. Adopt and follow policies and procedures that maximize
2915 resident independence, dignity, choice, and decisionmaking to
2916 permit residents to age in place ~~to the extent possible~~, so that
2917 moves due to changes in functional status are minimized or
2918 avoided.

2919 e. Allow residents or, if applicable, a resident's
2920 representative, designee, surrogate, guardian, or attorney in
2921 fact to make a variety of personal choices, participate in
2922 developing service plans, and share responsibility in
2923 decisionmaking.

2924 f. Implement the concept of managed risk.

2925 g. Provide, ~~either~~ directly or through contract, the
2926 services of a person licensed under ~~pursuant to~~ part I of
2927 chapter 464.

2928 h. In addition to the training mandated in s. 429.52,
2929 provide specialized training as defined by rule for facility

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2930 staff.

2931 4. A facility that is ~~Facilities~~ licensed to provide
2932 extended congregate care services is ~~are~~ exempt from the
2933 criteria for continued residency ~~as~~ set forth in rules adopted
2934 under s. 429.41. A licensed facility must ~~Facilities so licensed~~
2935 ~~shall~~ adopt its ~~their~~ own requirements within guidelines for
2936 continued residency set forth by rule. However, the facility
2937 ~~such facilities~~ may not serve residents who require 24-hour
2938 nursing supervision. A licensed facility that provides
2939 ~~Facilities licensed to provide~~ extended congregate care services
2940 must also ~~shall~~ provide each resident with a written copy of
2941 facility policies governing admission and retention.

2942 5. The primary purpose of extended congregate care services
2943 is to allow residents, as they become more impaired, the option
2944 of remaining in a familiar setting from which they would
2945 otherwise be disqualified for continued residency. A facility
2946 licensed to provide extended congregate care services may also
2947 admit an individual who exceeds the admission criteria for a
2948 facility with a standard license, if the individual is
2949 determined appropriate for admission to the extended congregate
2950 care facility.

2951 6. Before the admission of an individual to a facility
2952 licensed to provide extended congregate care services, the
2953 individual must undergo a medical examination as provided in s.
2954 429.26(4) and the facility must develop a preliminary service
2955 plan for the individual.

2956 7. When a facility can no longer provide or arrange for
2957 services in accordance with the resident's service plan and
2958 needs and the facility's policy, the facility shall make

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2959 arrangements for relocating the person in accordance with s.
2960 429.28(1)(k).

2961 8. Failure to provide extended congregate care services may
2962 result in denial of extended congregate care license renewal.

2963 ~~9. No later than January 1 of each year, the department, in~~
2964 ~~consultation with the agency, shall prepare and submit to the~~
2965 ~~Governor, the President of the Senate, the Speaker of the House~~
2966 ~~of Representatives, and the chairs of appropriate legislative~~
2967 ~~committees, a report on the status of, and recommendations~~
2968 ~~related to, extended congregate care services. The status report~~
2969 ~~must include, but need not be limited to, the following~~
2970 ~~information:~~

2971 ~~a. A description of the facilities licensed to provide such~~
2972 ~~services, including total number of beds licensed under this~~
2973 ~~part.~~

2974 ~~b. The number and characteristics of residents receiving~~
2975 ~~such services.~~

2976 ~~c. The types of services rendered that could not be~~
2977 ~~provided through a standard license.~~

2978 ~~d. An analysis of deficiencies cited during licensure~~
2979 ~~inspections.~~

2980 ~~e. The number of residents who required extended congregate~~
2981 ~~care services at admission and the source of admission.~~

2982 ~~f. Recommendations for statutory or regulatory changes.~~

2983 ~~g. The availability of extended congregate care to state~~
2984 ~~clients residing in facilities licensed under this part and in~~
2985 ~~need of additional services, and recommendations for~~
2986 ~~appropriations to subsidize extended congregate care services~~
2987 ~~for such persons.~~

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2988 ~~h. Such other information as the department considers~~
2989 ~~appropriate.~~

2990 Section 122. Subsection (2) of section 429.08, Florida
2991 Statutes, is repealed.

2992 Section 123. Subsection (5) of section 429.41, Florida
2993 Statutes, is amended to read:

2994 429.41 Rules establishing standards.—

2995 (5) The agency may use an abbreviated biennial standard
2996 licensure inspection that consists of a review of key quality-
2997 of-care standards in lieu of a full inspection in a facility
2998 that has ~~facilities which have~~ a good record of past
2999 performance. However, a full inspection must ~~shall~~ be conducted
3000 in a facility that has ~~facilities which have had~~ a history of
3001 class I or class II violations, uncorrected class III
3002 violations, confirmed ombudsman council complaints, or confirmed
3003 licensure complaints, within the previous licensure period
3004 immediately preceding the inspection or if ~~when~~ a potentially
3005 serious problem is identified during the abbreviated inspection.
3006 The agency, in consultation with the department, shall develop
3007 the key quality-of-care standards with input from the State
3008 Long-Term Care Ombudsman Council and representatives of provider
3009 groups for incorporation into its rules. ~~The department, in~~
3010 ~~consultation with the agency, shall report annually to the~~
3011 ~~Legislature concerning its implementation of this subsection.~~
3012 ~~The report shall include, at a minimum, the key quality-of-care~~
3013 ~~standards which have been developed; the number of facilities~~
3014 ~~identified as being eligible for the abbreviated inspection; the~~
3015 ~~number of facilities which have received the abbreviated~~
3016 ~~inspection and, of those, the number that were converted to full~~

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3017 ~~inspection; the number and type of subsequent complaints~~
3018 ~~received by the agency or department on facilities which have~~
3019 ~~had abbreviated inspections; any recommendations for~~
3020 ~~modification to this subsection; any plans by the agency to~~
3021 ~~modify its implementation of this subsection; and any other~~
3022 ~~information which the department believes should be reported.~~

3023 Section 124. Subsections (3) through (17) of section
3024 430.04, Florida Statutes, are amended to read:

3025 430.04 Duties and responsibilities of the Department of
3026 Elderly Affairs.—The Department of Elderly Affairs shall:

3027 ~~(3) Prepare and submit to the Governor, each Cabinet~~
3028 ~~member, the President of the Senate, the Speaker of the House of~~
3029 ~~Representatives, the minority leaders of the House and Senate,~~
3030 ~~and chairpersons of appropriate House and Senate committees a~~
3031 ~~master plan for policies and programs in the state related to~~
3032 ~~aging. The plan must identify and assess the needs of the~~
3033 ~~elderly population in the areas of housing, employment,~~
3034 ~~education and training, medical care, long-term care, preventive~~
3035 ~~care, protective services, social services, mental health,~~
3036 ~~transportation, and long-term care insurance, and other areas~~
3037 ~~considered appropriate by the department. The plan must assess~~
3038 ~~the needs of particular subgroups of the population and evaluate~~
3039 ~~the capacity of existing programs, both public and private and~~
3040 ~~in state and local agencies, to respond effectively to~~
3041 ~~identified needs. If the plan recommends the transfer of any~~
3042 ~~program or service from the Department of Children and Family~~
3043 ~~Services to another state department, the plan must also include~~
3044 ~~recommendations that provide for an independent third-party~~
3045 ~~mechanism, as currently exists in the Florida advocacy councils~~

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3046 established in ~~ss. 402.165 and 402.166~~, for protecting the
3047 constitutional and human rights of recipients of departmental
3048 services. The plan must include policy goals and program
3049 strategies designed to respond efficiently to current and
3050 projected needs. The plan must also include policy goals and
3051 program strategies to promote intergenerational relationships
3052 and activities. Public hearings and other appropriate processes
3053 shall be utilized by the department to solicit input for the
3054 development and updating of the master plan from parties
3055 including, but not limited to, the following:

- 3056 ~~(a) Elderly citizens and their families and caregivers.~~
- 3057 ~~(b) Local-level public and private service providers,~~
3058 ~~advocacy organizations, and other organizations relating to the~~
3059 ~~elderly.~~
- 3060 ~~(c) Local governments.~~
- 3061 ~~(d) All state agencies that provide services to the~~
3062 ~~elderly.~~
- 3063 ~~(e) University centers on aging.~~
- 3064 ~~(f) Area agency on aging and community care for the elderly~~
3065 ~~lead agencies.~~

3066 (3)~~(4)~~ Serve as an information clearinghouse at the state
3067 level, and assist local-level information and referral resources
3068 as a repository and means for the dissemination of information
3069 regarding all federal, state, and local resources for assistance
3070 to the elderly in the areas of, but not limited to, health,
3071 social welfare, long-term care, protective services, consumer
3072 protection, education and training, housing, employment,
3073 recreation, transportation, insurance, and retirement.

3074 (4)~~(5)~~ Recommend guidelines for the development of roles

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3075 for state agencies that provide services for the aging, review
3076 plans of agencies that provide such services, and relay the
3077 ~~these~~ plans to the Governor and the Legislature, ~~each Cabinet~~
3078 ~~member, the President of the Senate, the Speaker of the House of~~
3079 ~~Representatives, the minority leaders of the House and Senate,~~
3080 ~~and chairpersons of appropriate House and Senate committees.~~

3081 (5)~~(6)~~ Recommend to the Governor and the Legislature, ~~each~~
3082 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3083 ~~House of Representatives, the minority leaders of the House and~~
3084 ~~Senate, and chairpersons of appropriate House and Senate~~
3085 ~~committees~~ an organizational framework for the planning,
3086 coordination, implementation, and evaluation of programs related
3087 to aging, with the purpose of expanding and improving programs
3088 and opportunities available to the state's elderly population
3089 and enhancing a continuum of long-term care. This framework must
3090 ensure ~~assure~~ that:

3091 (a) Performance objectives are established.

3092 (b) Program reviews are conducted statewide.

3093 (c) Each major program related to aging is reviewed every 3
3094 years.

3095 ~~(d) Agency budget requests reflect the results and~~
3096 ~~recommendations of such program reviews.~~

3097 (d)~~(e)~~ Program decisions reinforce ~~lead to~~ the distinctive
3098 roles established for state agencies that provide aging
3099 services.

3100 (6)~~(7)~~ Advise the Governor and the Legislature, ~~each~~
3101 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3102 ~~House of Representatives, the minority leaders of the House and~~
3103 ~~Senate, and the chairpersons of appropriate House and Senate~~

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3104 ~~committees~~ regarding the need for and location of programs
3105 related to aging.

3106 ~~(7)-(8)~~ Review and coordinate aging research plans of all
3107 state agencies to ensure that the conformance of research
3108 objectives address to issues and needs of the state's elderly
3109 population addressed in the master plan for policies and
3110 programs related to aging. The research activities that must be
3111 reviewed and coordinated by the department include, but are not
3112 limited to, contracts with academic institutions, development of
3113 educational and training curriculums, Alzheimer's disease and
3114 other medical research, studies of long-term care and other
3115 personal assistance needs, and design of adaptive or modified
3116 living environments.

3117 ~~(8)-(9)~~ Review budget requests for programs related to aging
3118 to ensure the most cost-effective use of state funding for the
3119 state's elderly population for compliance with the master plan
3120 for policies and programs related to aging before submission to
3121 the Governor and the Legislature.

3122 ~~(10)~~ Update the master plan for policies and programs
3123 related to aging every 3 years.

3124 ~~(11)~~ Review implementation of the master plan for programs
3125 and policies related to aging and annually report to the
3126 Governor, each Cabinet member, the President of the Senate, the
3127 Speaker of the House of Representatives, the minority leaders of
3128 the House and Senate, and the chairpersons of appropriate House
3129 and Senate committees the progress towards implementation of the
3130 plan.

3131 ~~(9)-(12)~~ Request other departments that administer programs
3132 affecting the state's elderly population to amend their plans,

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3133 rules, policies, and research objectives as necessary to ensure
3134 that programs and other initiatives are coordinated and maximize
3135 the state's efforts to address the needs of the elderly ~~conform~~
3136 ~~with the master plan for policies and programs related to aging.~~

3137 (10) ~~(13)~~ Hold public meetings regularly throughout the
3138 state to receive ~~for purposes of receiving~~ information and
3139 maximize ~~maximizing~~ the visibility of important issues relating
3140 to aging and the elderly.

3141 (11) ~~(14)~~ Conduct policy analysis and program evaluation
3142 studies assigned by the Legislature.

3143 (12) ~~(15)~~ Assist the Governor, each Cabinet member, and
3144 members of the Legislature ~~the President of the Senate, the~~
3145 ~~Speaker of the House of Representatives, the minority leaders of~~
3146 ~~the House and Senate, and the chairpersons of appropriate House~~
3147 ~~and Senate committees in~~ conducting ~~the conduct of~~ their
3148 responsibilities ~~in such capacities~~ as they consider
3149 appropriate.

3150 (13) ~~(16)~~ Call upon appropriate agencies of state government
3151 for such assistance as is needed in the discharge of its duties.
3152 All agencies shall cooperate in assisting the department in
3153 carrying out its responsibilities as prescribed by this section.
3154 However, the ~~no provision of law regarding with respect to~~
3155 confidentiality of information may not be violated.

3156 (14) ~~(17)~~ Be designated as a state agency that is eligible
3157 to receive federal funds for adults who are eligible for
3158 assistance through the portion of the federal Child and Adult
3159 Care Food Program for adults, which is referred to as the Adult
3160 Care Food Program, and that is responsible for establishing and
3161 administering the program. The purpose of the Adult Care Food

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3162 Program is to provide nutritious and wholesome meals and snacks
3163 for adults in nonresidential day care centers or residential
3164 treatment facilities. To ensure the quality and integrity of the
3165 program, the department shall develop standards and procedures
3166 that govern sponsoring organizations and adult day care centers.
3167 The department shall follow federal requirements and may adopt
3168 ~~any rules necessary to administer pursuant to ss. 120.536(1) and~~
3169 ~~120.54 for the implementation of the Adult Care Food program~~
3170 ~~and. With respect to the Adult Care Food Program, the department~~
3171 ~~shall adopt rules pursuant to ss. 120.536(1) and 120.54 that~~
3172 implement relevant federal regulations, including 7 C.F.R. part
3173 226. The rules may address, at a minimum, the program
3174 requirements and procedures identified in this subsection.

3175 Section 125. Subsections (3) and (8) of section 430.502,
3176 Florida Statutes, are amended to read:

3177 430.502 Alzheimer's disease; memory disorder clinics and
3178 day care and respite care programs.—

3179 (3) The Alzheimer's Disease Advisory Committee shall ~~must~~
3180 evaluate and make recommendations to the department and the
3181 Legislature concerning the need for additional memory disorder
3182 clinics in the state. ~~The first report will be due by December~~
3183 ~~31, 1995.~~

3184 (8) The department shall ~~will~~ implement the waiver program
3185 specified in subsection (7). The agency and the department shall
3186 ensure that providers who ~~are selected that~~ have a history of
3187 successfully serving persons with Alzheimer's disease are
3188 selected. The department and the agency shall develop
3189 specialized standards for providers and services tailored to
3190 persons in the early, middle, and late stages of Alzheimer's

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3191 disease and designate a level of care determination process and
3192 standard that is most appropriate to this population. The
3193 department and the agency shall include in the waiver services
3194 designed to assist the caregiver in continuing to provide in-
3195 home care. The department shall implement this waiver program
3196 subject to a specific appropriation or as provided in the
3197 General Appropriations Act. ~~The department and the agency shall~~
3198 ~~submit their program design to the President of the Senate and~~
3199 ~~the Speaker of the House of Representatives for consultation~~
3200 ~~during the development process.~~

3201 Section 126. Subsection (1) and paragraph (a) of subsection
3202 (6) of section 445.006, Florida Statutes, are amended to read:

3203 445.006 Strategic and operational plans for workforce
3204 development.-

3205 (1) Workforce Florida, Inc., in conjunction with state and
3206 local partners in the workforce system, shall develop a
3207 strategic plan that produces ~~for workforce, with the goal of~~
3208 ~~producing~~ skilled employees for employers in the state. ~~The~~
3209 ~~strategic plan shall be submitted to the Governor, the President~~
3210 ~~of the Senate, and the Speaker of the House of Representatives~~
3211 ~~by February 1, 2001.~~ The strategic plan shall be updated or
3212 modified by January 1 of each year ~~thereafter~~. The plan must
3213 include, but need not be limited to, strategies for:

3214 (a) Fulfilling the workforce system goals and strategies
3215 prescribed in s. 445.004;

3216 (b) Aggregating, integrating, and leveraging workforce
3217 system resources;

3218 (c) Coordinating the activities of federal, state, and
3219 local workforce system partners;

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3220 (d) Addressing the workforce needs of small businesses; and
 3221 (e) Fostering the participation of rural communities and
 3222 distressed urban cores in the workforce system.

3223 (6) (a) The operational plan must include strategies that
 3224 are designed to prevent or reduce the need for a person to
 3225 receive public assistance. The ~~These~~ strategies must include:

3226 1. A teen pregnancy prevention component that includes, but
 3227 is not limited to, a plan for implementing the ~~Florida Education~~
 3228 ~~New and Babies Later (ENABL) program under s. 411.242 and the~~
 3229 Teen Pregnancy Prevention Community Initiative within each
 3230 county of the services area in which the teen birth rate is
 3231 higher than the state average;

3232 2. A component that encourages creation of community-based
 3233 welfare prevention and reduction initiatives that increase
 3234 support provided by noncustodial parents to their welfare-
 3235 dependent children and are consistent with program and financial
 3236 guidelines developed by Workforce Florida, Inc., and the
 3237 Commission on Responsible Fatherhood. These initiatives may
 3238 include, ~~but are not limited to,~~ improved paternity
 3239 establishment, work activities for noncustodial parents,
 3240 programs aimed at decreasing out-of-wedlock pregnancies,
 3241 encouraging involvement of fathers with their children which
 3242 includes ~~including~~ court-ordered supervised visitation, and
 3243 increasing child support payments;

3244 3. A component that encourages formation and maintenance of
 3245 two-parent families through, among other things, court-ordered
 3246 supervised visitation;

3247 4. A component that fosters responsible fatherhood in
 3248 families receiving assistance; and

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3249 5. A component that fosters the provision of services that
3250 reduce the incidence and effects of domestic violence on women
3251 and children in families receiving assistance.

3252 Section 127. Section 455.204, Florida Statutes, is
3253 repealed.

3254 Section 128. Subsection (8) of section 455.2226, Florida
3255 Statutes, is repealed.

3256 Section 129. Subsection (6) of section 455.2228, Florida
3257 Statutes, is repealed.

3258 Section 130. Section 456.005, Florida Statutes, is amended
3259 to read:

3260 456.005 Long-range policy planning; ~~plans, reports, and~~
3261 ~~recommendations.~~—To facilitate efficient and cost-effective
3262 regulation, the department and the board, if where appropriate,
3263 shall develop and implement a long-range policy planning and
3264 monitoring process that includes ~~to include~~ recommendations
3265 specific to each profession. The ~~Such~~ process shall include
3266 estimates of revenues, expenditures, cash balances, and
3267 performance statistics for each profession. The period covered
3268 may shall not be less than 5 years. The department, with input
3269 from the boards and licensees, shall develop and adopt the long-
3270 range plan ~~and must obtain the approval of the State Surgeon~~
3271 ~~General~~. The department shall monitor compliance with the
3272 ~~approved long-range~~ plan and, with input from the boards and
3273 licensees, shall annually update the plans ~~for approval by the~~
3274 ~~State Surgeon General~~. The department shall provide concise
3275 management reports to the boards quarterly. As part of the
3276 review process, the department shall evaluate:

3277 (1) Whether the department, including the boards and the

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3278 various functions performed by the department, is operating
3279 efficiently and effectively and if there is a need for a board
3280 or council to assist in cost-effective regulation.

3281 (2) How and why the various professions are regulated.

3282 (3) Whether there is a need to continue regulation, and to
3283 what degree.

3284 (4) Whether or not consumer protection is adequate, and how
3285 it can be improved.

3286 (5) Whether there is consistency between the various
3287 practice acts.

3288 (6) Whether unlicensed activity is adequately enforced.

3289

3290 The ~~Such~~ plans shall ~~should~~ include conclusions and
3291 recommendations on these and other issues as appropriate. ~~Such~~
3292 ~~plans shall be provided to the Governor and the Legislature by~~
3293 ~~November 1 of each year.~~

3294 Section 131. Subsection (9) of section 456.025, Florida
3295 Statutes, is amended to read:

3296 456.025 Fees; receipts; disposition.—

3297 (9) The department shall provide a ~~condensed~~ management
3298 report of revenues and expenditures ~~budgets, finances,~~
3299 performance measures ~~statistics,~~ and recommendations to each
3300 board at least once a quarter. ~~The department shall identify and~~
3301 ~~include in such presentations any changes, or projected changes,~~
3302 ~~made to the board's budget since the last presentation.~~

3303 Section 132. Subsection (6) of section 456.034, Florida
3304 Statutes, is repealed.

3305 Section 133. Subsections (3) and (4) of section 517.302,
3306 Florida Statutes, are amended to read:

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3307 517.302 Criminal penalties; alternative fine; Anti-Fraud
3308 Trust Fund; time limitation for criminal prosecution.-

3309 (3) In lieu of a fine otherwise authorized by law, a person
3310 who has been convicted of or who has pleaded guilty or no
3311 contest to having engaged in conduct in violation of ~~the~~
3312 ~~provisions of~~ this chapter may be sentenced to pay a fine that
3313 does not exceed the greater of three times the gross value
3314 gained or three times the gross loss caused by such conduct,
3315 plus court costs and the costs of investigation and prosecution
3316 reasonably incurred.

3317 (4)~~(a)~~ There is created within the office a trust fund to
3318 be known as the Anti-Fraud Trust Fund. Any amounts assessed as
3319 costs of investigation and prosecution under this subsection
3320 shall be deposited in the trust fund. Funds deposited in the
3321 ~~such~~ trust fund must ~~shall~~ be used, when authorized by
3322 appropriation, for investigation and prosecution of
3323 administrative, civil, and criminal actions arising under ~~the~~
3324 ~~provisions of~~ this chapter. Funds may also be used to improve
3325 the public's awareness and understanding of prudent investing.

3326 ~~(b) The office shall report to the Executive Office of the~~
3327 ~~Governor annually by November 15, the amounts deposited into the~~
3328 ~~Anti-Fraud Trust Fund during the previous fiscal year. The~~
3329 ~~Executive Office of the Governor shall distribute these reports~~
3330 ~~to the President of the Senate and the Speaker of the House of~~
3331 ~~Representatives.~~

3332 (5)~~(4)~~ Criminal prosecution for offenses under this chapter
3333 is subject to the time limitations in ~~of~~ s. 775.15.

3334 Section 134. Subsection (3) of section 531.415, Florida
3335 Statutes, is repealed.

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3336 Section 135. Subsection (3) of section 570.0705, Florida
 3337 Statutes, is repealed.

3338 Section 136. Subsection (5) of section 570.0725, Florida
 3339 Statutes, is repealed.

3340 Section 137. Subsection (3) of section 570.543, Florida
 3341 Statutes, is repealed.

3342 Section 138. Section 603.204, Florida Statutes, is amended
 3343 to read:

3344 603.204 South Florida Tropical Fruit Plan.—

3345 ~~(1) The Commissioner of Agriculture, in consultation with~~
 3346 ~~the Tropical Fruit Advisory Council, shall develop and update,~~
 3347 ~~at least 90 days prior to the 1991 legislative session, submit~~
 3348 ~~to the President of the Senate, the Speaker of the House of~~
 3349 ~~Representatives, and the chairs of appropriate Senate and House~~
 3350 ~~of Representatives committees, a South Florida Tropical Fruit~~
 3351 Plan, which shall identify problems and constraints of the
 3352 tropical fruit industry, propose possible solutions to such
 3353 problems, and develop planning mechanisms for orderly growth of
 3354 the industry, including:

3355 (1)(a) Criteria for tropical fruit research, service, and
 3356 management priorities.

3357 (2)(b) ~~Additional~~ Proposed legislation that ~~which~~ may be
 3358 required.

3359 (3)(e) Plans relating to other tropical fruit programs and
 3360 related disciplines in the State University System.

3361 (4)(d) Potential tropical fruit products in terms of market
 3362 and needs for development.

3363 (5)(e) Evaluation of production and fresh fruit policy
 3364 alternatives, including, but not limited to, setting minimum

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3365 grades and standards, promotion and advertising, development of
 3366 production and marketing strategies, and setting minimum
 3367 standards on types and quality of nursery plants.

3368 (6)~~(f)~~ Evaluation of policy alternatives for processed
 3369 tropical fruit products, including, but not limited to, setting
 3370 minimum quality standards and development of production and
 3371 marketing strategies.

3372 (7)~~(g)~~ Research and service priorities for further
 3373 development of the tropical fruit industry.

3374 (8)~~(h)~~ Identification of state agencies and public and
 3375 private institutions concerned with research, education,
 3376 extension, services, planning, promotion, and marketing
 3377 functions related to tropical fruit development, and delineation
 3378 of contributions and responsibilities. The recommendations in
 3379 the ~~South Florida Tropical Fruit~~ plan relating to education or
 3380 research shall be submitted to the Institute of Food and
 3381 Agricultural Sciences. ~~The recommendations relating to~~
 3382 ~~regulation or marketing shall be submitted to the Department of~~
 3383 ~~Agriculture and Consumer Services.~~

3384 (9)~~(i)~~ Business planning, investment potential, financial
 3385 risks, and economics of production and use ~~utilization~~.

3386 ~~(2) A revision and update of the South Florida Tropical~~
 3387 ~~Fruit Plan shall be submitted biennially, and a progress report~~
 3388 ~~and budget request shall be submitted annually, to the officials~~
 3389 ~~specified in subsection (1).~~

3390 Section 139. Subsection (6) of section 627.64872, Florida
 3391 Statutes, is amended to read:

3392 627.64872 Florida Health Insurance Plan.—

3393 (6) ~~INTERIM REPORT;~~ ANNUAL REPORT.—

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3394 ~~(a) By no later than December 1, 2004, the board shall~~
3395 ~~report to the Governor, the President of the Senate, and the~~
3396 ~~Speaker of the House of Representatives the results of an~~
3397 ~~actuarial study conducted by the board to determine, including,~~
3398 ~~but not limited to:~~

3399 ~~1. The impact the creation of the plan will have on the~~
3400 ~~small group insurance market and the individual market on~~
3401 ~~premiums paid by insureds. This shall include an estimate of the~~
3402 ~~total anticipated aggregate savings for all small employers in~~
3403 ~~the state.~~

3404 ~~2. The number of individuals the pool could reasonably~~
3405 ~~cover at various funding levels, specifically, the number of~~
3406 ~~people the pool may cover at each of those funding levels.~~

3407 ~~3. A recommendation as to the best source of funding for~~
3408 ~~the anticipated deficits of the pool.~~

3409 ~~4. The effect on the individual and small group market by~~
3410 ~~including in the Florida Health Insurance Plan persons eligible~~
3411 ~~for coverage under s. 627.6487, as well as the cost of including~~
3412 ~~these individuals.~~

3413
3414 ~~The board shall take no action to implement the Florida Health~~
3415 ~~Insurance Plan, other than the completion of the actuarial study~~
3416 ~~authorized in this paragraph, until funds are appropriated for~~
3417 ~~startup cost and any projected deficits.~~

3418 ~~(b) No later than December 1, 2005, and annually~~
3419 ~~thereafter, The board shall annually submit to the Governor, the~~
3420 ~~President of the Senate, and and the Speaker of the House of~~
3421 ~~Representatives, and the substantive legislative committees of~~
3422 ~~the Legislature a report that which includes an independent~~

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3423 actuarial study to determine, without limitation, the following
3424 ~~including, but not be limited to:~~

3425 (a)1. The effect ~~impact~~ the creation of the plan has on the
3426 small group and individual insurance market, specifically on the
3427 premiums paid by insureds, including. ~~This shall include~~ an
3428 estimate of the total anticipated aggregate savings for all
3429 small employers in the state.

3430 (b)2. The actual number of individuals covered at the
3431 current funding and benefit level, the projected number of
3432 individuals that may seek coverage in the forthcoming fiscal
3433 year, and the projected funding needed to cover anticipated
3434 increase or decrease in plan participation.

3435 (c)3. A recommendation as to the best source of funding for
3436 the anticipated deficits of the pool.

3437 (d)4. A summary ~~summarization~~ of the activities of the plan
3438 in the preceding calendar year, including the net written and
3439 earned premiums, plan enrollment, the expense of administration,
3440 and the paid and incurred losses.

3441 (e)5. A review of the operation of the plan as to whether
3442 the plan has met the intent of this section.

3443
3444 The board may not implement the Florida Health Insurance Plan
3445 until funds are appropriated for startup costs and any projected
3446 deficits; however, the board may complete the actuarial study
3447 authorized in this subsection.

3448 Section 140. Subsections (5) and (7) of section 744.708,
3449 Florida Statutes, are amended to read:

3450 744.708 Reports and standards.—

3451 (5) (a) Each office of public guardian shall undergo an

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3452 independent audit by a qualified certified public accountant at
3453 least once every 2 years. A copy of the audit report shall be
3454 submitted to the Statewide Public Guardianship Office.

3455 (b) In addition to regular monitoring activities, the
3456 Statewide Public Guardianship Office shall conduct an
3457 investigation into the practices of each office of public
3458 guardian related to the managing of each ward's personal affairs
3459 and property. If ~~When~~ feasible, the investigation ~~required under~~
3460 ~~this paragraph~~ shall be conducted in conjunction with the
3461 financial audit of each office of public guardian under
3462 paragraph (a).

3463 ~~(c) In addition, each office of public guardian shall be~~
3464 ~~subject to audits or examinations by the Auditor General and the~~
3465 ~~Office of Program Policy Analysis and Government Accountability~~
3466 ~~pursuant to law.~~

3467 (7) The ratio for professional staff to wards shall be 1
3468 professional to 40 wards. The Statewide Public Guardianship
3469 Office may increase or decrease the ratio after consultation
3470 with the local public guardian and the chief judge of the
3471 circuit court. The basis for ~~of~~ the decision to increase or
3472 decrease the prescribed ratio must ~~shall~~ be included ~~reported~~ in
3473 the annual report to the secretary ~~of Elderly Affairs, the~~
3474 ~~Governor, the President of the Senate, the Speaker of the House~~
3475 ~~of Representatives, and the Chief Justice of the Supreme Court.~~

3476 Section 141. Subsection (6) of section 768.295, Florida
3477 Statutes, is amended to read:

3478 768.295 Strategic Lawsuits Against Public Participation
3479 (SLAPP) suits by governmental entities prohibited.—

3480 (6) In any case filed by a governmental entity which is

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3481 found by a court to be in violation of this section, the
3482 governmental entity shall report such finding and provide a copy
3483 of the court's order to the Attorney General no later than 30
3484 days after the ~~such~~ order is final. The Attorney General shall
3485 maintain a record of the court orders ~~report any violation of~~
3486 ~~this section by a governmental entity to the Cabinet, the~~
3487 ~~President of the Senate, and the Speaker of the House of~~
3488 ~~Representatives. A copy of such report shall be provided to the~~
3489 ~~affected governmental entity.~~

3490 Section 142. Paragraph (c) of subsection (3) of section
3491 775.084, Florida Statutes, is amended to read:

3492 775.084 Violent career criminals; habitual felony offenders
3493 and habitual violent felony offenders; three-time violent felony
3494 offenders; definitions; procedure; enhanced penalties or
3495 mandatory minimum prison terms.-

3496 (3)

3497 (c) In a separate proceeding, the court shall determine
3498 whether the defendant is a violent career criminal with respect
3499 to a primary offense committed on or after October 1, 1995. The
3500 procedure shall be as follows:

3501 1. Written notice shall be served on the defendant and the
3502 defendant's attorney a sufficient time before ~~prior to~~ the entry
3503 of a plea or before ~~prior to~~ the imposition of sentence ~~in order~~
3504 to allow for the preparation of a submission on behalf of the
3505 defendant.

3506 2. All evidence ~~presented~~ shall be presented in open court
3507 with full rights of confrontation, cross-examination, and
3508 representation by counsel.

3509 3. Each of the findings required as the basis for such

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3510 sentence shall be found to exist by a preponderance of the
3511 evidence and shall be appealable only as provided in paragraph
3512 (d).

3513 4. For the purpose of identification, the court shall
3514 fingerprint the defendant pursuant to s. 921.241.

3515 ~~5. For an offense committed on or after October 1, 1995, if~~
3516 ~~the state attorney pursues a violent career criminal sanction~~
3517 ~~against the defendant and the court, in a separate proceeding~~
3518 ~~pursuant to this paragraph, determines that the defendant meets~~
3519 ~~the criteria under subsection (1) for imposing such sanction,~~
3520 ~~the court must sentence the defendant as a violent career~~
3521 ~~criminal, subject to imprisonment pursuant to this section~~
3522 ~~unless the court finds that such sentence is not necessary for~~
3523 ~~the protection of the public. If the court finds that it is not~~
3524 ~~necessary for the protection of the public to sentence the~~
3525 ~~defendant as a violent career criminal, the court shall provide~~
3526 ~~written reasons; a written transcript of orally stated reasons~~
3527 ~~is permissible, if filed by the court within 7 days after the~~
3528 ~~date of sentencing. Each month, the court shall submit to the~~
3529 ~~Office of Economic and Demographic Research of the Legislature~~
3530 ~~the written reasons or transcripts in each case in which the~~
3531 ~~court determines not to sentence a defendant as a violent career~~
3532 ~~criminal as provided in this subparagraph.~~

3533 Section 143. Subsection (8) of section 790.22, Florida
3534 Statutes, is amended to read:

3535 790.22 Use of BB guns, air or gas-operated guns, or
3536 electric weapons or devices by minor under 16; limitation;
3537 possession of firearms by minor under 18 prohibited; penalties.-

3538 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor

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3539 ~~under 18 years of age~~ is charged with an offense that involves
3540 the use or possession of a firearm, ~~as defined in s. 790.001,~~
3541 including a violation of subsection (3), or is charged for any
3542 offense during the commission of which the minor possessed a
3543 firearm, the minor shall be detained in secure detention, unless
3544 the state attorney authorizes the release of the minor, and
3545 shall be given a hearing within 24 hours after being taken into
3546 custody. At the hearing, the court may order that the minor
3547 continue to be held in secure detention in accordance with the
3548 applicable time periods specified in s. 985.26(1)-(5), if the
3549 court finds that the minor meets the criteria specified in s.
3550 985.255, or if the court finds by clear and convincing evidence
3551 that the minor is a clear and present danger to himself or
3552 herself or the community. The Department of Juvenile Justice
3553 shall prepare a form for all minors charged under this
3554 subsection which ~~that~~ states the period of detention and the
3555 relevant demographic information, including, but not limited to,
3556 the gender ~~sex~~, age, and race of the minor; whether or not the
3557 minor was represented by private counsel or a public defender;
3558 the current offense; and the minor's complete prior record,
3559 including any pending cases. The form shall be provided to the
3560 judge for ~~to be considered when~~ determining whether the minor
3561 should be continued in secure detention under this subsection.
3562 An order placing a minor in secure detention because the minor
3563 is a clear and present danger to himself or herself or the
3564 community must be in writing, must specify the need for
3565 detention and the benefits derived by the minor or the community
3566 by placing the minor in secure detention, and must include a
3567 copy of the form provided by the department. ~~The Department of~~

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3568 ~~Juvenile Justice must send the form, including a copy of any~~
 3569 ~~order, without client-identifying information, to the Office of~~
 3570 ~~Economic and Demographic Research.~~

3571 Section 144. Section 943.125, Florida Statutes, is amended
 3572 to read:

3573 943.125 Law enforcement agency accreditation; intent.—

3574 ~~(1) LEGISLATIVE INTENT.—~~

3575 (1)(a) It is the intent of the Legislature that law
 3576 enforcement agencies in the state be upgraded and strengthened
 3577 through the adoption of meaningful standards of operation for
 3578 those agencies.

3579 (2)(b) It is the further intent of the Legislature that law
 3580 enforcement agencies voluntarily adopt standards designed to
 3581 promote equal and fair law enforcement, to maximize the
 3582 capability of law enforcement agencies to prevent and control
 3583 criminal activities, and to increase interagency cooperation
 3584 throughout the state.

3585 (3)(e) It is further the intent of the Legislature to
 3586 encourage the Florida Sheriffs Association and the Florida
 3587 Police Chiefs Association to develop, either jointly or
 3588 separately, a law enforcement agency accreditation program. The
 3589 ~~Such~~ program must ~~shall~~ be independent of any law enforcement
 3590 agency, the Florida Sheriffs Association, or the Florida Police
 3591 Chiefs Association. The ~~Any such law enforcement agency~~
 3592 ~~accreditation~~ program must ~~should~~ address, at a minimum, the
 3593 following aspects of law enforcement:

3594 (a)1. Vehicle pursuits.

3595 (b)2. Seizure and forfeiture of contraband articles.

3596 (c)3. Recording and processing citizens' complaints.

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3597 (d)~~4.~~ Use of force.

3598 (e)~~5.~~ Traffic stops.

3599 (f)~~6.~~ Handling natural and manmade disasters.

3600 (g)~~7.~~ Special operations.

3601 (h)~~8.~~ Prisoner transfer.

3602 (i)~~9.~~ Collection and preservation of evidence.

3603 (j)~~10.~~ Recruitment and selection.

3604 (k)~~11.~~ Officer training.

3605 (l)~~12.~~ Performance evaluations.

3606 (m)~~13.~~ Law enforcement disciplinary procedures and rights.

3607 (n)~~14.~~ Use of criminal investigative funds.

3608 ~~(2) FEASIBILITY AND STATUS REPORT. The Florida Sheriffs~~

3609 ~~Association and the Florida Police Chiefs Association, either~~

3610 ~~jointly or separately, shall report to the Speaker of the House~~

3611 ~~of Representatives and the President of the Senate regarding the~~

3612 ~~feasibility of a law enforcement agency accreditation program~~

3613 ~~and the status of the efforts of the Florida Sheriffs~~

3614 ~~Association and the Florida Police Chiefs Association to develop~~

3615 ~~a law enforcement agency accreditation program as provided in~~

3616 ~~this section.~~

3617 Section 145. Subsection (9) of section 943.68, Florida

3618 Statutes, is amended to read:

3619 943.68 Transportation and protective services.—

3620 (9) The department shall submit a report each July 15 to

3621 ~~the President of the Senate, Speaker of the House of~~

3622 ~~Representatives, Governor, the Legislature, and members of the~~

3623 ~~Cabinet, detailing all transportation and protective services~~

3624 ~~provided under subsections (1), (5), and (6) within the~~

3625 ~~preceding fiscal year. Each report shall include a detailed~~

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3626 accounting of the cost of such transportation and protective
3627 services, including the names of persons provided such services
3628 and the nature of state business performed.

3629 Section 146. Section 944.023, Florida Statutes, is amended
3630 to read:

3631 944.023 Institutional capacity ~~Comprehensive correctional~~
3632 ~~master plan.~~-

3633 (1) As used in this section and s. 944.0231, the term:

3634 (a) "Criminal Justice Estimating Conference" means the
3635 Criminal Justice Estimating Conference referred to in s.
3636 216.136(5).

3637 (b) "Total capacity" of the state correctional system means
3638 the total design capacity of all institutions and facilities in
3639 the state correctional system, which may include those
3640 facilities authorized and funded under chapter 957, increased by
3641 one-half, with the following exceptions:

3642 1. Medical and mental health beds must remain at design
3643 capacity.

3644 2. Community-based contracted beds must remain at design
3645 capacity.

3646 3. The one-inmate-per-cell requirement at the Florida State
3647 Prison and other maximum security facilities must be maintained
3648 pursuant to paragraph (7) (a).

3649 4. Community correctional centers and drug treatment
3650 centers must be increased by one-third.

3651 5. A housing unit may not exceed its maximum capacity
3652 pursuant to paragraphs (7) (a) and (b).

3653 6. A number of beds equal to 5 percent of total capacity
3654 shall be deducted for management beds at institutions.

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3655 (c) "State correctional system" means the correctional
3656 system as defined in s. 944.02.

3657 (2) The department shall develop a comprehensive
3658 correctional master plan. The master plan shall project the
3659 needs for the state correctional system for the coming 5-year
3660 period and shall be updated annually and submitted to the
3661 Governor's office and the Legislature at the same time the
3662 department submits its legislative budget request as provided in
3663 chapter 216.

3664 (3) The purposes of the comprehensive correctional master
3665 plan shall be:

3666 (a) To ensure that the penalties of the criminal justice
3667 system are completely and effectively administered to the
3668 convicted criminals and, to the maximum extent possible, that
3669 the criminal is provided opportunities for self-improvement and
3670 returned to freedom as a productive member of society.

3671 (b) To the extent possible, to protect the public safety
3672 and the law-abiding citizens of this state and to carry out the
3673 laws protecting the rights of the victims of convicted
3674 criminals.

3675 (c) To develop and maintain a humane system of punishment
3676 providing prison inmates with proper housing, nourishment, and
3677 medical attention.

3678 (d) To provide fair and adequate compensation and benefits
3679 to the employees of the state correctional system.

3680 (e) To the extent possible, to maximize the effective and
3681 efficient use of the principles used in private business.

3682 (f) To provide that convicted criminals not be incarcerated
3683 for any longer period of time or in any more secure facility

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3684 than is necessary to ensure adequate sanctions, rehabilitation
3685 of offenders, and protection of public safety.

3686 (4) The comprehensive correctional master plan shall use
3687 the estimates of the Criminal Justice Estimating Conference and
3688 shall include:

3689 (a) A plan for the decentralization of reception and
3690 classification facilities for the implementation of a systemwide
3691 diagnosis-and-evaluation capability for adult offenders. The
3692 plan shall provide for a system of psychological testing and
3693 evaluation as well as medical screening through department
3694 resources or with other public or private agencies through a
3695 purchase-of-services agreement.

3696 (b) A plan developed by the department for the
3697 comprehensive vocational and educational training of, and
3698 treatment programs for, offenders and their evaluation within
3699 each institution, program, or facility of the department, based
3700 upon the identified needs of the offender and the requirements
3701 of the employment market.

3702 (c) A plan contracting with local facilities and programs
3703 as short-term confinement resources of the department for
3704 offenders who are sentenced to 3 years or less, or who are
3705 within 3 years or less of their anticipated release date, and
3706 integration of detention services which have community-based
3707 programs. The plan shall designate such facilities and programs
3708 by region of the state and identify, by county, the capability
3709 for local incarceration.

3710 (d) A detailed analysis of methods to implement diversified
3711 alternatives to institutionalization when such alternatives can
3712 be safely employed. The analysis shall include an assessment of

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3713 current pretrial intervention, probation, and community control
3714 alternatives and their cost-effectiveness with regard to
3715 restitution to victims, reimbursements for cost of supervision,
3716 and subsequent violations resulting in commitments to the
3717 department. Such analysis shall also include an assessment of
3718 current use of electronic surveillance of offenders and
3719 projected potential for diverting additional categories of
3720 offenders from incarceration within the department.

3721 (e) A detailed analysis of current incarceration rates of
3722 both the state and county correctional systems with the
3723 calculation by the department of the current and projected
3724 ratios of inmates in the correctional system, as defined in s.
3725 945.01, to the general population of the state which will serve
3726 as a basis for projecting construction needs.

3727 (f) A plan for community-based facilities and programs for
3728 the reintegration of offenders into society whereby inmates who
3729 are being released shall receive assistance. Such assistance may
3730 be through work-release, transition assistance, release
3731 assistance stipend, contract release, postrelease special
3732 services, temporary housing, or job placement programs.

3733 (g) A plan reflecting parity of pay or comparable economic
3734 benefits for correctional officers with that of law enforcement
3735 officers in this state, and an assessment of projected impacts
3736 on turnover rates within the department.

3737 (h) A plan containing habitability criteria which defines
3738 when beds are available and functional for use by inmates, and
3739 containing factors which define when institutions and facilities
3740 may be added to the inventory of the state correctional system.

3741 (5) The comprehensive correctional master plan shall

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3742 project by year the total operating and capital outlay costs
3743 necessary for constructing a sufficient number of prison beds to
3744 avoid a deficiency in prison beds. Included in the master plan
3745 which projects operating and capital outlay costs shall be a
3746 siting plan which shall assess, rank, and designate appropriate
3747 sites pursuant to s. 944.095(2)(a)-(k). The master plan shall
3748 include an assessment of the department's current capability for
3749 providing the degree of security necessary to ensure public
3750 safety and should reflect the levels of security needed for the
3751 forecasted admissions of various types of offenders based upon
3752 sentence lengths and severity of offenses. The plan shall also
3753 provide construction options for targeting violent and habitual
3754 offenders for incarceration while providing specific
3755 alternatives for the various categories of lesser offenders.

3756 (6) Institutions within the state correctional system shall
3757 have the following design capacity factors:

3758 (a) Rooms and prison cells between 40 square feet and 90
3759 square feet, inclusive: one inmate per room or prison cell.

3760 (b) Dormitory-style rooms and other rooms exceeding 90
3761 square feet: one inmate per 55 square feet.

3762 (c) At institutions with rooms or cells, except to the
3763 extent that separate confinement cells have been constructed, a
3764 number of rooms or prison cells equal to 3 percent of total
3765 design capacity must be deducted from design capacity and set
3766 aside for confinement purposes.

3767 (d) Bed count calculations used to determine design
3768 capacity shall only include beds that ~~which~~ are functional and
3769 available for use by inmates.

3770 (7) Institutions within the state correctional system shall

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3771 have the following maximum capacity factors:

3772 (a) Rooms and prison cells between 40 square feet and 60
3773 square feet, inclusive: one inmate per room or cell. If the room
3774 or prison cell is between 60 square feet and 90 square feet,
3775 inclusive, two inmates are allowed in each room, except that one
3776 inmate per room or prison cell is allowed at the Florida State
3777 Prison or any other maximum security institution or facility
3778 that ~~which~~ may be constructed.

3779 (b) Dormitory-style rooms and other rooms exceeding 90
3780 square feet: one inmate per 37.5 square feet. Double-bunking is
3781 generally allowed only along the outer walls of a dormitory.

3782 (c) At institutions with rooms or cells, except to the
3783 extent that separate confinement cells have been constructed, a
3784 number of rooms or prison cells equal to 3 percent of total
3785 maximum capacity are not available for maximum capacity, and
3786 must be set aside for confinement purposes, thereby reducing
3787 maximum capacity by 6 percent since these rooms would otherwise
3788 house two inmates.

3789 (d) A number of beds equal to 5 percent of total maximum
3790 capacity must be deducted for management at institutions.

3791 Section 147. Paragraph (f) of subsection (3) of section
3792 944.801, Florida Statutes, is amended to read:

3793 944.801 Education for state prisoners.—

3794 (3) The responsibilities of the Correctional Education
3795 Program shall be to:

3796 (f) Report annual activities to the Secretary of
3797 Corrections, ~~the Commissioner of Education, the Governor, and~~
3798 ~~the Legislature.~~

3799 Section 148. Subsection (10) of section 945.35, Florida

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3800 Statutes, is repealed.

3801 Section 149. Subsection (9) of section 958.045, Florida
3802 Statutes, is repealed.

3803 Section 150. Paragraph (c) of subsection (1) of section
3804 960.045, Florida Statutes, is amended to read:

3805 960.045 Department of Legal Affairs; powers and duties.—It
3806 shall be the duty of the department to assist persons who are
3807 victims of crime.

3808 (1) The department shall:

3809 (c) Prepare an annual Report, prior to January 1 of each
3810 year, to the presiding officers of the Senate and House of
3811 Representatives a written report of the activities of the Crime
3812 Victims' Services Office, which shall be available on the
3813 department's Internet website.

3814 Section 151. Paragraph (c) of subsection (8) of section
3815 985.02, Florida Statutes, is repealed.

3816 Section 152. Subsections (3), (4), and (5) of section
3817 985.047, Florida Statutes, are amended to read:

3818 985.047 Information systems.—

3819 ~~(3) In order to assist in the integration of the~~
3820 ~~information to be shared, the sharing of information obtained,~~
3821 ~~the joint planning on diversion and early intervention~~
3822 ~~strategies for juveniles at risk of becoming serious habitual~~
3823 ~~juvenile offenders, and the intervention strategies for serious~~
3824 ~~habitual juvenile offenders, a multiagency task force should be~~
3825 ~~organized and utilized by the law enforcement agency or county~~
3826 ~~in conjunction with the initiation of the information system~~
3827 ~~described in subsections (1) and (2). The multiagency task force~~
3828 ~~shall be composed of representatives of those agencies and~~

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3829 ~~persons providing information for the central identification~~
3830 ~~file and the multiagency information sheet.~~

3831 ~~(4) This multiagency task force shall develop a plan for~~
3832 ~~the information system that includes measures which identify and~~
3833 ~~address any disproportionate representation of ethnic or racial~~
3834 ~~minorities in the information systems and shall develop~~
3835 ~~strategies that address the protection of individual~~
3836 ~~constitutional rights.~~

3837 ~~(3)~~ (5) ~~A~~ Any law enforcement agency, ~~r~~ or county that ~~which~~
3838 implements a juvenile offender information system ~~and the~~
3839 ~~multiagency task force which maintain the information system~~
3840 must annually provide ~~any~~ information gathered during the
3841 previous year to the delinquency and gang prevention council of
3842 the judicial circuit in which the county is located. This
3843 information must ~~shall~~ include the number, types, and patterns
3844 of delinquency tracked by the juvenile offender information
3845 system.

3846 Section 153. Paragraph (a) of subsection (8) of section
3847 985.47, Florida Statutes, is amended to read:

3848 985.47 Serious or habitual juvenile offender.—

3849 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
3850 chapter and the establishment of appropriate program guidelines
3851 and standards, contractual instruments, which shall include
3852 safeguards of all constitutional rights, shall be developed as
3853 follows:

3854 (a) The department shall provide for:

3855 1. ~~The~~ Oversight of the implementation of assessment and
3856 treatment approaches.

3857 2. ~~The~~ Identification and prequalification of appropriate

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3858 individuals or not-for-profit organizations, including minority
3859 individuals or organizations when possible, to provide
3860 assessment and treatment services to serious or habitual
3861 delinquent children.

3862 3. ~~The~~ Monitoring and evaluation of assessment and
3863 treatment services for compliance with this chapter and all
3864 applicable rules and guidelines pursuant thereto.

3865 ~~4. The development of an annual report on the performance~~
3866 ~~of assessment and treatment to be presented to the Governor, the~~
3867 ~~Attorney General, the President of the Senate, the Speaker of~~
3868 ~~the House of Representatives, and the Auditor General no later~~
3869 ~~than January 1 of each year.~~

3870 Section 154. Paragraph (a) of subsection (8) of section
3871 985.483, Florida Statutes, is amended to read:

3872 985.483 Intensive residential treatment program for
3873 offenders less than 13 years of age.—

3874 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this
3875 chapter and the establishment of appropriate program guidelines
3876 and standards, contractual instruments, which shall include
3877 safeguards of all constitutional rights, shall be developed for
3878 intensive residential treatment programs for offenders less than
3879 13 years of age as follows:

3880 (a) The department shall provide for:

3881 1. ~~The~~ Oversight of the implementation of assessment and
3882 treatment approaches.

3883 2. ~~The~~ Identification and prequalification of appropriate
3884 individuals or not-for-profit organizations, including minority
3885 individuals or organizations when possible, to provide
3886 assessment and treatment services to intensive offenders less

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3887 than 13 years of age.

3888 3. ~~The~~ Monitoring and evaluation of assessment and
3889 treatment services for compliance with this chapter and all
3890 applicable rules and guidelines pursuant thereto.

3891 ~~4. The development of an annual report on the performance~~
3892 ~~of assessment and treatment to be presented to the Governor, the~~
3893 ~~Attorney General, the President of the Senate, the Speaker of~~
3894 ~~the House of Representatives, the Auditor General, and the~~
3895 ~~Office of Program Policy Analysis and Government Accountability~~
3896 ~~no later than January 1 of each year.~~

3897 Section 155. Subsection (5) of section 985.61, Florida
3898 Statutes, is repealed.

3899 Section 156. Subsection (1) of section 985.622, Florida
3900 Statutes, is amended to read:

3901 985.622 Multiagency plan for vocational education.—

3902 (1) The Department of Juvenile Justice and the Department
3903 of Education shall, in consultation with the statewide Workforce
3904 Development Youth Council, school districts, providers, and
3905 others, jointly develop a multiagency plan for vocational
3906 education that establishes the curriculum, goals, and outcome
3907 measures for vocational programs in juvenile commitment
3908 facilities. The plan must include:

3909 (a) Provisions for maximizing appropriate state and federal
3910 funding sources, including funds under the Workforce Investment
3911 Act and the Perkins Act;

3912 (b) The responsibilities of both departments and all other
3913 appropriate entities; and

3914 (c) A detailed implementation schedule.

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3916 ~~The plan must be submitted to the Governor, the President of the~~
3917 ~~Senate, and the Speaker of the House of Representatives by May~~
3918 ~~1, 2001.~~

3919 Section 157. Subsection (7) of section 985.632, Florida
3920 Statutes, is repealed.

3921 Section 158. Subsection (19) of section 1002.34, Florida
3922 Statutes, is repealed.

3923 Section 159. Subsection (4) of section 1003.61, Florida
3924 Statutes, is repealed.

3925 Section 160. Subsections (5) through (13) of section
3926 1004.22, Florida Statutes, are amended to read:

3927 1004.22 Divisions of sponsored research at state
3928 universities.—

3929 (5) Moneys deposited in the permanent sponsored research
3930 development fund of a university shall be disbursed in
3931 accordance with the terms of the contract, grant, or donation
3932 under which they are received. Moneys received for overhead or
3933 indirect costs and other moneys not required for the payment of
3934 direct costs shall be applied to the cost of operating the
3935 division of sponsored research. Any surplus moneys shall be used
3936 to support other research or sponsored training programs in any
3937 area of the university. Transportation and per diem expense
3938 allowances are ~~shall be~~ the same as those provided ~~by law~~ in s.
3939 112.061, except that personnel performing travel under a
3940 sponsored research subcontract may be reimbursed for travel
3941 expenses in accordance with ~~the provisions of~~ the applicable
3942 prime contract or grant and the travel allowances established by
3943 the subcontractor, subject to the requirements of subsection (6)
3944 ~~(7)~~, or except as provided in subsection (10) ~~(11)~~.

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3945 ~~(6)(a) Each university shall submit to the Board of~~
3946 ~~Governors a report of the activities of each division of~~
3947 ~~sponsored research together with an estimated budget for the~~
3948 ~~next fiscal year.~~

3949 ~~(b) Not less than 90 days prior to the convening of each~~
3950 ~~regular session of the Legislature in which an appropriation~~
3951 ~~shall be made, the Board of Governors shall submit to the chair~~
3952 ~~of the appropriations committee of each house of the Legislature~~
3953 ~~a compiled report, together with a compiled estimated budget for~~
3954 ~~the next fiscal year. A copy of such report and estimated budget~~
3955 ~~shall be furnished to the Governor, as the chief budget officer~~
3956 ~~of the state.~~

3957 ~~(6)(7)~~ All purchases of a division of sponsored research
3958 shall be made in accordance with the policies and procedures of
3959 the university pursuant to guidelines of the Board of Governors;
3960 however, upon certification addressed to the university
3961 president that it is necessary for the efficient or expeditious
3962 prosecution of a research project, the president may exempt the
3963 purchase of material, supplies, equipment, or services for
3964 research purposes from the general purchasing requirement of
3965 state law ~~the Florida Statutes~~.

3966 ~~(7)(8)~~ The university may authorize the construction,
3967 alteration, or remodeling of buildings if ~~when~~ the funds used
3968 are derived entirely from the sponsored research development
3969 fund of a university or from that fund in combination with other
3970 nonstate sources and if, ~~provided that~~ such construction,
3971 alteration, or remodeling is for use exclusively in the area of
3972 research. ~~The university may;~~ it also may authorize the
3973 acquisition of real property if ~~when~~ the cost is entirely from

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3974 the said funds. Title to all real property purchased before
3975 ~~prior to~~ January 7, 2003, or with funds appropriated by the
3976 Legislature shall vest in the Board of Trustees of the Internal
3977 Improvement Trust Fund and may ~~shall only~~ be transferred or
3978 conveyed only by it.

3979 (8)~~(9)~~ The sponsored research programs of the Institute of
3980 Food and Agricultural Sciences, the University of Florida Health
3981 Science Center, and the engineering and industrial experiment
3982 station shall continue to be centered at the University of
3983 Florida as ~~heretofore~~ provided by law. Indirect cost
3984 reimbursements of all grants deposited in the Division of
3985 Sponsored Research shall be distributed directly to the above
3986 units in direct proportion to the amounts earned by each unit.

3987 (9)~~(10)~~ The operation of the divisions of sponsored
3988 research and the conduct of the sponsored research program are
3989 exempt ~~expressly exempted~~ from ~~the provisions of any law other~~
3990 ~~laws or portions of laws~~ in conflict with this subsection
3991 ~~herewith~~ and are, subject to the requirements of subsection (6)
3992 ~~(7)~~, exempt ~~exempted~~ from the provisions of chapters 215, 216,
3993 and 283.

3994 (10)~~(11)~~ The divisions of sponsored research may pay, by
3995 advancement or reimbursement, or a combination thereof, the
3996 costs of per diem of university employees and of other
3997 authorized persons, as defined in s. 112.061(2)(e), for foreign
3998 travel up to the current rates as stated in the grant and
3999 contract ~~terms~~ and may also pay incidental expenses as
4000 authorized by s. 112.061(8). This subsection applies to any
4001 university employee traveling in foreign countries for sponsored
4002 programs of the university, if such travel expenses are approved

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4003 in ~~the terms of~~ the contract or grant. The provisions of s.
4004 112.061, other than those relating to per diem, apply to the
4005 travel described in this subsection. As used in this subsection,
4006 the term "foreign travel" means any travel outside the United
4007 States and its territories and possessions and Canada. Persons
4008 traveling in foreign countries pursuant to this section are
4009 ~~shall not be~~ entitled to reimbursements or advancements pursuant
4010 to s. 112.061(6)(a)2. for such travel.

4011 (11) ~~(12)~~ Each division of sponsored research may ~~is~~
4012 ~~authorized to~~ advance funds to any principal investigator who,
4013 under the contract or grant ~~terms~~, will be performing a portion
4014 of his or her research at a site that is remote from the
4015 university. Funds may ~~shall~~ be advanced only to employees who
4016 have executed a proper power of attorney with the university to
4017 ensure the proper collection of the ~~such~~ advanced funds if it
4018 becomes necessary. As used in this subsection, the term "remote"
4019 means so far removed from the university as to render normal
4020 purchasing and payroll functions ineffective.

4021 (12) ~~(13)~~ Each university board of trustees may ~~is~~
4022 ~~authorized to~~ adopt rules, as necessary, to administer this
4023 section.

4024 Section 161. Subsection (6) of section 1004.50, Florida
4025 Statutes, is repealed.

4026 Section 162. Subsections (2) and (4) of section 1004.94,
4027 Florida Statutes, are repealed.

4028 Section 163. Subsection (4) of section 1004.95, Florida
4029 Statutes, is amended to read:

4030 1004.95 Adult literacy centers.—

4031 (4) The State Board of Education shall develop rules for

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4032 ~~implementing this section, including criteria for evaluating the~~
4033 ~~performance of the centers, and shall submit an evaluation~~
4034 ~~report of the centers to the Legislature on or before February 1~~
4035 ~~of each year.~~

4036 Section 164. Section 1006.0605, Florida Statutes, is
4037 repealed.

4038 Section 165. Section 1006.67, Florida Statutes, is
4039 repealed.

4040 Section 166. Subsection (8) of section 1009.70, Florida
4041 Statutes, is amended to read:

4042 1009.70 Florida Education Fund.—

4043 (8) There is created a legal education component of the
4044 Florida Education Fund to provide the opportunity for minorities
4045 to attain representation within the legal profession
4046 proportionate to their representation within the general
4047 population. The legal education component of the Florida
4048 Education Fund includes a law school program and a pre-law
4049 program.

4050 (a) The law school scholarship program of the Florida
4051 Education Fund is to be administered by the Board of Directors
4052 of the Florida Education Fund for the purpose of increasing ~~by~~
4053 ~~200~~ the number of minority students enrolled in law schools in
4054 this state by 200. Implementation of this program is to be
4055 phased in over a 3-year period.

4056 1. The board of directors shall provide financial,
4057 academic, and other support to students selected for
4058 participation in this program from funds appropriated by the
4059 Legislature.

4060 2. Student selection must be made in accordance with rules

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4061 adopted by the board of directors for that purpose and must be
4062 based, at least in part, on an assessment of potential for
4063 success, merit, and financial need.

4064 3. Support must be made available to students who enroll in
4065 private, as well as public, law schools in this state which are
4066 accredited by the American Bar Association.

4067 4. Scholarships must be paid directly to the participating
4068 students.

4069 5. Students who participate in this program must agree in
4070 writing to sit for The Florida Bar examination and, upon
4071 successful admission to The Florida Bar, to ~~either~~ practice law
4072 in the state for a period ~~of time~~ equal to the amount of time
4073 for which the student received aid, up to 3 years, or repay the
4074 amount of aid received.

4075 ~~6. Annually, the board of directors shall compile a report~~
4076 ~~that includes a description of the selection process, an~~
4077 ~~analysis of the academic progress of all scholarship recipients,~~
4078 ~~and an analysis of expenditures. This report must be submitted~~
4079 ~~to the President of the Senate, the Speaker of the House of~~
4080 ~~Representatives, and the Governor.~~

4081 (b) The minority pre-law scholarship loan program of the
4082 Florida Education Fund is to be administered by the Board of
4083 Directors of the Florida Education Fund for the purpose of
4084 increasing the opportunity of minority students to prepare for
4085 law school.

4086 1. From funds appropriated by the Legislature, the board of
4087 directors shall provide for student fees, room, board, books,
4088 supplies, and academic and other support to selected minority
4089 undergraduate students matriculating at eligible public and

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4090 independent colleges and universities in Florida.

4091 2. Student selection must be made in accordance with rules
4092 adopted by the board of directors for that purpose and must be
4093 based, at least in part, on an assessment of potential for
4094 success, merit, and financial need.

4095 3. To be eligible, a student must make a written agreement
4096 to enter or be accepted to enter a law school in this state
4097 within 2 years after graduation or repay the scholarship loan
4098 amount plus interest at the prevailing rate.

4099 4. Recipients who fail to gain admission to a law school
4100 within the specified period ~~of time~~, may, upon admission to law
4101 school, be eligible to have their loans canceled.

4102 5. Minority pre-law scholarship loans shall be provided to
4103 34 minority students per year for up to 4 years each, for a
4104 total of 136 scholarship loans. To continue receiving ~~receipt of~~
4105 scholarship loans, recipients must maintain a 2.75 grade point
4106 average for the freshman year and a 3.25 grade point average
4107 thereafter. Participants must also take specialized courses to
4108 enhance competencies in English and logic.

4109 6. The board of directors shall maintain records on all
4110 scholarship loan recipients. Participating institutions shall
4111 submit academic progress reports to the board of directors
4112 following each academic term. ~~Annually, the board of directors~~
4113 ~~shall compile a report that includes a description of the~~
4114 ~~selection process, an analysis of the academic progress of all~~
4115 ~~scholarship loan recipients, and an analysis of expenditures.~~
4116 ~~This report must be submitted to the President of the Senate,~~
4117 ~~the Speaker of the House of Representatives, and the Governor.~~

4118 Section 167. Subsection (8) of section 1011.32, Florida

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4119 Statutes, is amended to read:

4120 1011.32 Community College Facility Enhancement Challenge
4121 Grant Program.—

4122 (8) By September 1 of each year, the State Board of
4123 Education shall transmit to the Governor and the Legislature a
4124 list of projects that ~~which~~ meet all eligibility requirements to
4125 participate in the Community College Facility Enhancement
4126 Challenge Grant Program and a budget request that ~~which~~ includes
4127 the recommended schedule necessary to complete each project.

4128 Section 168. Paragraph (s) of subsection (1) of section
4129 1011.62, Florida Statutes, is amended to read:

4130 1011.62 Funds for operation of schools.—If the annual
4131 allocation from the Florida Education Finance Program to each
4132 district for operation of schools is not determined in the
4133 annual appropriations act or the substantive bill implementing
4134 the annual appropriations act, it shall be determined as
4135 follows:

4136 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
4137 OPERATION.—The following procedure shall be followed in
4138 determining the annual allocation to each district for
4139 operation:

4140 (s) *Extended-school-year program.*—It is the intent of the
4141 Legislature that students be provided additional instruction by
4142 extending the school year to 210 days or more. Districts may
4143 apply to the Commissioner of Education for funds to be used in
4144 planning and implementing an extended-school-year program. ~~The~~
4145 ~~Department of Education shall recommend to the Legislature the~~
4146 ~~policies necessary for full implementation of an extended school~~
4147 ~~year.~~

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4148 Section 169. Paragraph (1) of subsection (2) of section
4149 1012.05, Florida Statutes, is repealed.

4150 Section 170. Subsection (1) of section 1012.42, Florida
4151 Statutes, is amended to read:

4152 1012.42 Teacher teaching out-of-field.—

4153 (1) ASSISTANCE.—Each district school board shall adopt and
4154 implement a plan to assist any teacher teaching out-of-field,
4155 and priority consideration in professional development
4156 activities shall be given to a teacher ~~teachers~~ who is ~~are~~
4157 teaching out-of-field. The district school board shall require
4158 that the teacher ~~such teachers~~ participate in a certification or
4159 staff development program designed to provide the teacher with
4160 the competencies required for the assigned duties. The board-
4161 approved assistance plan must include duties of administrative
4162 personnel and other instructional personnel to provide students
4163 with instructional services. ~~Each district school board shall~~
4164 ~~contact its regional workforce board, created pursuant to s.~~
4165 ~~445.007, to identify resources that may assist teachers who are~~
4166 ~~teaching out-of-field and who are pursuing certification.~~

4167 Section 171. Section 1013.11, Florida Statutes, is amended
4168 to read:

4169 1013.11 Postsecondary institutions assessment of physical
4170 plant safety.—The president of each postsecondary institution
4171 shall conduct or cause to be conducted an annual assessment of
4172 physical plant safety. An annual report shall incorporate the
4173 assessment findings ~~obtained through such assessment~~ and
4174 recommendations for the improvement of safety on each campus.
4175 The annual report shall be submitted to the respective governing
4176 or licensing board of jurisdiction no later than January 1 of

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4177 each year. Each board shall compile the individual institutional
4178 reports and convey the aggregate institutional reports to the
4179 Commissioner of Education or the Chancellor of the State
4180 University System, as appropriate. ~~The Commissioner of Education~~
4181 ~~and the Chancellor of the State University System shall convey~~
4182 ~~these reports and the reports required in s. 1006.67 to the~~
4183 ~~President of the Senate and the Speaker of the House of~~
4184 ~~Representatives no later than March 1 of each year.~~

4185 Section 172. Subsection (3) of section 161.142, Florida
4186 Statutes, is amended to read:

4187 161.142 Declaration of public policy relating to improved
4188 navigation inlets.—The Legislature recognizes the need for
4189 maintaining navigation inlets to promote commercial and
4190 recreational uses of our coastal waters and their resources. The
4191 Legislature further recognizes that inlets interrupt or alter
4192 the natural drift of beach-quality sand resources, which often
4193 results in these sand resources being deposited in nearshore
4194 areas or in the inlet channel, or in the inland waterway
4195 adjacent to the inlet, instead of providing natural nourishment
4196 to the adjacent eroding beaches. Accordingly, the Legislature
4197 finds it is in the public interest to replicate the natural
4198 drift of sand which is interrupted or altered by inlets to be
4199 replaced and for each level of government to undertake all
4200 reasonable efforts to maximize inlet sand bypassing to ensure
4201 that beach-quality sand is placed on adjacent eroding beaches.
4202 Such activities cannot make up for the historical sand deficits
4203 caused by inlets but shall be designed to balance the sediment
4204 budget of the inlet and adjacent beaches and extend the life of
4205 proximate beach-restoration projects so that periodic

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4206 nourishment is needed less frequently. Therefore, in furtherance
4207 of this declaration of public policy and the Legislature's
4208 intent to redirect and recommit the state's comprehensive beach
4209 management efforts to address the beach erosion caused by
4210 inlets, the department shall ensure that:

4211 (3) Construction waterward of the coastal construction
4212 control line on downdrift coastal areas, on islands
4213 substantially created by the deposit of spoil, located within 1
4214 mile of the centerline of navigation channels or inlets,
4215 providing access to ports listed in s. 403.021(9)(b), which
4216 suffers or has suffered erosion caused by such navigation
4217 channel maintenance or construction shall be exempt from the
4218 permitting requirements and prohibitions of s. 161.053(4)~~(5)~~ or
4219 (5)~~(6)~~; however, such construction shall comply with the
4220 applicable Florida Building Code adopted pursuant to s. 553.73.
4221 The timing and sequence of any construction activities
4222 associated with inlet management projects shall provide
4223 protection to nesting sea turtles and their hatchlings and
4224 habitats, to nesting shorebirds, and to native salt-resistant
4225 vegetation and endangered plant communities. Beach-quality sand
4226 placed on the beach as part of an inlet management project must
4227 be suitable for marine turtle nesting.

4228 Section 173. Paragraph (a) of subsection (4) of section
4229 163.065, Florida Statutes, is amended to read:

4230 163.065 Miami River Improvement Act.—

4231 (4) PLAN.—The Miami River Commission, working with the City
4232 of Miami and Miami-Dade County, shall consider the merits of the
4233 following:

4234 (a) Development and adoption of an urban infill and

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4235 redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-~~
4236 ~~163.2526~~, which ~~and~~ participating state and regional agencies
4237 shall review ~~the proposed plan~~ for the purposes of determining
4238 consistency with applicable law.

4239 Section 174. Subsection (1) of section 163.2511, Florida
4240 Statutes, is amended to read:

4241 163.2511 Urban infill and redevelopment.—

4242 (1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be
4243 cited as the "Growth Policy Act."

4244 Section 175. Section 163.2514, Florida Statutes, is amended
4245 to read:

4246 163.2514 Growth Policy Act; definitions.—As used in ss.
4247 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

4248 (1) "Local government" means any county or municipality.

4249 (2) "Urban infill and redevelopment area" means an area or
4250 areas designated by a local government where:

4251 (a) Public services such as water and wastewater,
4252 transportation, schools, and recreation are already available or
4253 are scheduled to be provided in an adopted 5-year schedule of
4254 capital improvements;

4255 (b) The area, or one or more neighborhoods within the area,
4256 suffers from pervasive poverty, unemployment, and general
4257 distress as defined by s. 290.0058;

4258 (c) The area exhibits a proportion of properties that are
4259 substandard, overcrowded, dilapidated, vacant or abandoned, or
4260 functionally obsolete which is higher than the average for the
4261 local government;

4262 (d) More than 50 percent of the area is within 1/4 mile of
4263 a transit stop, or a sufficient number of ~~such~~ transit stops

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4264 will be made available concurrent with the designation; and

4265 (e) The area includes or is adjacent to community
4266 redevelopment areas, brownfields, enterprise zones, or Main
4267 Street programs, or has been designated by the state or Federal
4268 Government as an urban redevelopment, revitalization, or infill
4269 area under empowerment zone, enterprise community, or brownfield
4270 showcase community programs or similar programs.

4271 Section 176. Subsection (2) of section 163.3202, Florida
4272 Statutes, is amended to read:

4273 163.3202 Land development regulations.—

4274 (2) Local land development regulations shall contain
4275 specific and detailed provisions necessary or desirable to
4276 implement the adopted comprehensive plan and shall at ~~as~~ a
4277 minimum:

4278 (a) Regulate the subdivision of land.

4279 (b) Regulate the use of land and water for those land use
4280 categories included in the land use element and ensure the
4281 compatibility of adjacent uses and provide for open space.

4282 (c) Provide for protection of potable water wellfields.

4283 (d) Regulate areas subject to seasonal and periodic
4284 flooding and provide for drainage and stormwater management.

4285 (e) Ensure the protection of environmentally sensitive
4286 lands designated in the comprehensive plan.

4287 (f) Regulate signage.

4288 (g) Provide that public facilities and services meet or
4289 exceed the standards established in the capital improvements
4290 element required by s. 163.3177 and are available when needed
4291 for the development, or that development orders and permits are
4292 conditioned on the availability of these public facilities and

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4293 services necessary to serve the proposed development. ~~Not later~~
4294 ~~than 1 year after its due date established by the state land~~
4295 ~~planning agency's rule for submission of local comprehensive~~
4296 ~~plans pursuant to s. 163.3167(2),~~ A local government may ~~shall~~
4297 not issue a development order or permit that ~~which~~ results in a
4298 reduction in the level of services for the affected public
4299 facilities below the level of services provided in the local
4300 government's comprehensive plan ~~of the local government.~~

4301 (h) Ensure safe and convenient onsite traffic flow,
4302 considering needed vehicle parking.

4303 Section 177. Paragraph (b) of subsection (11) of section
4304 259.041, Florida Statutes, is amended to read:

4305 259.041 Acquisition of state-owned lands for preservation,
4306 conservation, and recreation purposes.-

4307 (11)

4308 (b) All project applications shall identify, within their
4309 acquisition plans, ~~those~~ projects that ~~which~~ require a full fee
4310 simple interest to achieve the public policy goals, together
4311 with the reasons full title is determined to be necessary. The
4312 state agencies and the water management districts may use
4313 alternatives to fee simple acquisition to bring the remaining
4314 projects in their acquisition plans under public protection. For
4315 the purposes of this subsection, the term "alternatives to fee
4316 simple acquisition" includes, but is not limited to: purchase of
4317 development rights; obtaining conservation easements; obtaining
4318 flowage easements; purchase of timber rights, mineral rights, or
4319 hunting rights; purchase of agricultural interests or
4320 silvicultural interests; entering into land protection
4321 agreements as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee

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4322 simple acquisitions with reservations; creating life estates; or
4323 any other acquisition technique that ~~which~~ achieves the public
4324 policy goals listed in paragraph (a). It is presumed that a
4325 private landowner retains the full range of uses for all the
4326 rights or interests in the landowner's land which are not
4327 specifically acquired by the public agency. The lands upon which
4328 hunting rights are specifically acquired pursuant to this
4329 paragraph shall be available for hunting in accordance with the
4330 management plan or hunting regulations adopted by the Florida
4331 Fish and Wildlife Conservation Commission, unless the hunting
4332 rights are purchased specifically to protect activities on
4333 adjacent lands.

4334 Section 178. Paragraph (c) of subsection (3) of section
4335 259.101, Florida Statutes, is amended to read:

4336 259.101 Florida Preservation 2000 Act.—

4337 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
4338 of issuance, the costs of funding reserve accounts, and other
4339 costs with respect to the bonds, the proceeds of bonds issued
4340 pursuant to this act shall be deposited into the Florida
4341 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
4342 year 2000-2001, for each Florida Preservation 2000 program
4343 described in paragraphs (a)-(g), that portion of each program's
4344 total remaining cash balance which, as of June 30, 2000, is in
4345 excess of that program's total remaining appropriation balances
4346 shall be redistributed by the department and deposited into the
4347 Save Our Everglades Trust Fund for land acquisition. For
4348 purposes of calculating the total remaining cash balances for
4349 this redistribution, the Florida Preservation 2000 Series 2000
4350 bond proceeds, including interest thereon, and the fiscal year

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4351 1999-2000 General Appropriations Act amounts shall be deducted
4352 from the remaining cash and appropriation balances,
4353 respectively. The remaining proceeds shall be distributed by the
4354 Department of Environmental Protection in the following manner:

4355 (c) Ten percent to the Department of Community Affairs to
4356 provide land acquisition grants and loans to local governments
4357 through the Florida Communities Trust pursuant to part III of
4358 chapter 380. From funds allocated to the trust, \$3 million
4359 annually shall be used by the Division of State Lands within the
4360 Department of Environmental Protection to implement the Green
4361 Swamp Land Protection Initiative specifically for the purchase
4362 of conservation easements, as defined in s. 380.0677(3) ~~s.~~
4363 ~~380.0677(4)~~, of lands, or severable interests or rights in
4364 lands, in the Green Swamp Area of Critical State Concern. From
4365 funds allocated to the trust, \$3 million annually shall be used
4366 by the Monroe County Comprehensive Plan Land Authority
4367 specifically for the purchase of a ~~any~~ real property interest in
4368 ~~either~~ those lands subject to the Rate of Growth Ordinances
4369 adopted by local governments in Monroe County or those lands
4370 within the boundary of an approved Conservation and Recreation
4371 Lands project located within the Florida Keys or Key West Areas
4372 of Critical State Concern; however, title to lands acquired
4373 within the boundary of an approved Conservation and Recreation
4374 Lands project may, in accordance with an approved joint
4375 acquisition agreement, vest in the Board of Trustees of the
4376 Internal Improvement Trust Fund. Of the remaining funds
4377 ~~allocated to the trust after the above transfers occur~~, one-half
4378 shall be matched by local governments on a dollar-for-dollar
4379 basis. To the extent allowed by federal requirements for the use

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4380 of bond proceeds, the trust shall expend Preservation 2000 funds
4381 to carry out the purposes of part III of chapter 380.

4382

4383 Local governments may use federal grants or loans, private
4384 donations, or environmental mitigation funds, including
4385 environmental mitigation funds required pursuant to s. 338.250,
4386 for any part or all of any local match required for the purposes
4387 described in this subsection. Bond proceeds allocated pursuant
4388 to paragraph (c) may be used to purchase lands on the priority
4389 lists developed pursuant to s. 259.035. Title to lands purchased
4390 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
4391 vested in the Board of Trustees of the Internal Improvement
4392 Trust Fund. Title to lands purchased pursuant to paragraph (c)
4393 may be vested in the Board of Trustees of the Internal
4394 Improvement Trust Fund. The board of trustees shall hold title
4395 to land protection agreements and conservation easements that
4396 were or will be acquired pursuant to s. 380.0677, and the
4397 Southwest Florida Water Management District and the St. Johns
4398 River Water Management District shall monitor such agreements
4399 and easements within their respective districts until the state
4400 assumes this responsibility.

4401 Section 179. Subsections (1) and (5) of section 369.305,
4402 Florida Statutes, are amended to read:

4403 369.305 Review of local comprehensive plans, land
4404 development regulations, Wekiva River development permits, and
4405 amendments.—

4406 ~~(1) It is the intent of the Legislature that comprehensive~~
4407 ~~plans and land development regulations of Orange, Lake, and~~
4408 ~~Seminole Counties be revised to protect the Wekiva River~~

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4409 ~~Protection Area prior to the due dates established in ss.~~
 4410 ~~163.3167(2) and 163.3202 and chapter 9J-12, Florida~~
 4411 ~~Administrative Code.~~ It is ~~also~~ the intent of the Legislature
 4412 that Orange, Lake, and Seminole ~~the~~ Counties emphasize the
 4413 Wekiva River Protection Area ~~this important state resource~~ in
 4414 their planning and regulation efforts. Therefore, each county's
 4415 ~~county shall, by April 1, 1989, review and amend those portions~~
 4416 ~~of its~~ local comprehensive plan and ~~its~~ land development
 4417 regulations applicable to the Wekiva River Protection Area must,
 4418 ~~and, if necessary, adopt additional land development regulations~~
 4419 ~~which are applicable to the Wekiva River Protection Area to meet~~
 4420 the following criteria:

4421 (a) Each county's local comprehensive plan must ~~shall~~
 4422 contain goals, policies, and objectives that ~~which~~ result in the
 4423 protection of the:

4424 1. Water quantity, water quality, and hydrology of the
 4425 Wekiva River System;

4426 2. Wetlands associated with the Wekiva River System;

4427 3. Aquatic and wetland-dependent wildlife species
 4428 associated with the Wekiva River System;

4429 4. Habitat within the Wekiva River Protection Area of
 4430 species designated pursuant to rules 39-27.003, 39-27.004, and
 4431 39-27.005, Florida Administrative Code; and

4432 5. Native vegetation within the Wekiva River Protection
 4433 Area.

4434 (b) The various land uses and densities and intensities of
 4435 development permitted by the local comprehensive plan shall
 4436 protect the resources enumerated in paragraph (a) and the rural
 4437 character of the Wekiva River Protection Area. The plan must

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4438 ~~shall~~ also include:

4439 1. Provisions that ~~to~~ ensure the preservation of sufficient
4440 habitat for feeding, nesting, roosting, and resting so as to
4441 maintain viable populations of species designated pursuant to
4442 rules 39-27.003, 39-27.004, and 39-27.005, Florida
4443 Administrative Code, within the Wekiva River Protection Area.

4444 2. Restrictions on the clearing of native vegetation within
4445 the 100-year flood plain.

4446 3. Prohibition of development that is not low-density
4447 residential in nature, unless the ~~that~~ development has less
4448 effect ~~impacts~~ on natural resources than low-density residential
4449 development.

4450 4. Provisions for setbacks along the Wekiva River for areas
4451 that do not fall within the protection zones established
4452 pursuant to s. 373.415.

4453 5. Restrictions on intensity of development adjacent to
4454 publicly owned lands to prevent adverse impacts to such lands.

4455 6. Restrictions on filling and alteration of wetlands in
4456 the Wekiva River Protection Area.

4457 7. Provisions encouraging clustering of residential
4458 development if ~~when~~ it promotes protection of environmentally
4459 sensitive areas, and ensures ~~ensuring~~ that residential
4460 development in the aggregate are ~~shall be of a rural in~~ density
4461 and character.

4462 (c) The local comprehensive plan must ~~shall~~ require that
4463 the density or intensity of development permitted on parcels of
4464 property adjacent to the Wekiva River System be concentrated on
4465 those portions of the parcels which are the farthest from the
4466 surface waters and wetlands of the Wekiva River System.

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4467 (d) The local comprehensive plan must ~~shall~~ require that
4468 parcels of land adjacent to the surface waters and watercourses
4469 of the Wekiva River System not be subdivided so as to interfere
4470 with the implementation of protection zones as established
4471 pursuant to s. 373.415, any applicable setbacks from the surface
4472 waters in the Wekiva River System which are established by local
4473 governments, or the policy established in paragraph (c) of
4474 concentrating development in the Wekiva River Protection Area as
4475 far from the surface waters and wetlands of the Wekiva River
4476 System as practicable.

4477 (e) The local land development regulations must ~~shall~~
4478 implement the provisions of paragraphs (a), (b), (c), and (d)
4479 and must ~~shall also~~ include restrictions on the location of
4480 septic tanks and drainfields in the 100-year flood plain and
4481 discharges of stormwater to the Wekiva River System.

4482 ~~(5) During the period of time between the effective date of~~
4483 ~~this act and the due date of a county's revised local government~~
4484 ~~comprehensive plan as established by s. 163.3167(2) and chapter~~
4485 ~~9J-12, Florida Administrative Code, any local comprehensive plan~~
4486 ~~amendment or amendment to a land development regulation, adopted~~
4487 ~~or issued by a county, which applies to the Wekiva River~~
4488 ~~Protection Area, or any Wekiva River development permit adopted~~
4489 ~~by a county, solely within protection zones established pursuant~~
4490 ~~to s. 373.415, shall be sent to the department within 10 days~~
4491 ~~after its adoption or issuance by the local governing body but~~
4492 ~~shall not become effective until certified by the department as~~
4493 ~~being in compliance with purposes described in subsection (1).~~
4494 ~~The department shall make its decision on certification within~~
4495 ~~60 days after receipt of the amendment or development permit~~

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4496 solely within protection zones established pursuant to s.
 4497 373.415. The department's decision on certification shall be
 4498 final agency action. This subsection shall not apply to any
 4499 amendments or new land development regulations adopted pursuant
 4500 to subsections (1)-(4) or to any development order approving,
 4501 approving with conditions, or denying a development of regional
 4502 impact.

4503 Section 180. Paragraph (g) of subsection (1) of section
 4504 379.2431, Florida Statutes, is amended to read:

4505 379.2431 Marine animals; regulation.-

4506 (1) PROTECTION OF MARINE TURTLES.-

4507 (g) The Department of Environmental Protection may
 4508 condition the nature, timing, and sequence of construction of
 4509 permitted activities to provide protection to nesting marine
 4510 turtles and hatchlings and their habitat pursuant to s.
 4511 161.053(4) ~~the provisions of s. 161.053(5)~~. If ~~When~~ the
 4512 department is considering a permit for a beach restoration,
 4513 beach renourishment, or inlet sand transfer project and the
 4514 applicant has had an active marine turtle nest relocation
 4515 program or the applicant has agreed to and has the ability to
 4516 administer a program, the department may ~~must~~ not restrict the
 4517 timing of the project. If ~~Where~~ appropriate, the department, in
 4518 accordance with the applicable rules of the Fish and Wildlife
 4519 Conservation Commission, shall require as a condition of the
 4520 permit that the applicant relocate and monitor all turtle nests
 4521 that would be affected by the beach restoration, beach
 4522 renourishment, or sand transfer activities. Such relocation and
 4523 monitoring activities shall be conducted in a manner that
 4524 ensures successful hatching. This limitation on the department's

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4525 authority applies only on the Atlantic coast of Florida.

4526 Section 181. Section 381.732, Florida Statutes, is amended
4527 to read:

4528 381.732 Short title; Healthy Communities, Healthy People
4529 Act.—Sections 381.732-381.734 ~~381.731-381.734~~ may be cited as
4530 the “Healthy Communities, Healthy People Act.”

4531 Section 182. Section 381.733, Florida Statutes, is amended
4532 to read:

4533 381.733 Definitions relating to Healthy Communities,
4534 Healthy People Act.—As used in ss. 381.732-381.734 ~~ss. 381.731-~~
4535 ~~381.734~~, the term:

4536 (1) “Department” means the Department of Health.

4537 (2) “Primary prevention” means interventions directed
4538 toward healthy populations with a focus on avoiding disease
4539 before it occurs ~~prior to its occurrence~~.

4540 (3) “Secondary prevention” means interventions designed to
4541 promote the early detection and treatment of diseases and to
4542 reduce the risks experienced by at-risk populations.

4543 (4) “Tertiary prevention” means interventions directed at
4544 rehabilitating and minimizing the effects of disease in a
4545 chronically ill population.

4546 Section 183. Paragraph (d) of subsection (5) of section
4547 411.01, Florida Statutes, is amended to read:

4548 411.01 School readiness programs; early learning
4549 coalitions.—

4550 (5) CREATION OF EARLY LEARNING COALITIONS.—

4551 (d) *Implementation*.—

4552 1. An early learning coalition may not implement the school
4553 readiness program until ~~the coalition is authorized through~~

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4554 ~~approval~~ of the coalition's school readiness plan is approved by
4555 the Agency for Workforce Innovation.

4556 2. Each early learning coalition shall develop a plan for
4557 implementing the school readiness program to meet the
4558 requirements of this section and the performance standards and
4559 outcome measures adopted by the Agency for Workforce Innovation.
4560 The plan must demonstrate how the program will ensure that each
4561 3-year-old and 4-year-old child in a publicly funded school
4562 readiness program receives scheduled activities and instruction
4563 designed to enhance the age-appropriate progress of the children
4564 in attaining the performance standards adopted by the agency ~~for~~
4565 ~~Workforce Innovation~~ under subparagraph (4)(d)8. Before
4566 implementing the school readiness program, the early learning
4567 coalition must submit the plan to the agency ~~for Workforce~~
4568 ~~Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may
4569 approve the plan, reject the plan, or approve the plan with
4570 conditions. The agency ~~for Workforce Innovation~~ shall review
4571 school readiness plans at least annually.

4572 3. If the Agency for Workforce Innovation determines during
4573 the annual review of school readiness plans, or through
4574 monitoring and performance evaluations conducted under paragraph
4575 (4)(1), that an early learning coalition has not substantially
4576 implemented its plan, has not substantially met the performance
4577 standards and outcome measures adopted by the agency, or has not
4578 effectively administered the school readiness program or
4579 Voluntary Prekindergarten Education Program, the agency ~~for~~
4580 ~~Workforce Innovation~~ may dissolve the coalition and temporarily
4581 contract with a qualified entity to continue school readiness
4582 and prekindergarten services in the coalition's county or

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4583 multicounty region until the coalition is reestablished through
4584 resubmission of a school readiness plan and approval by the
4585 agency.

4586 4. The Agency for Workforce Innovation shall adopt criteria
4587 for the approval of school readiness plans. The criteria must be
4588 consistent with the performance standards and outcome measures
4589 adopted by the agency and must require each approved plan to
4590 include the following minimum standards ~~and provisions~~:

4591 a. A sliding fee scale establishing a copayment for parents
4592 based upon their ability to pay, which is the same for all
4593 program providers, to be implemented and reflected in each
4594 program's budget.

4595 b. A choice of settings and locations in licensed,
4596 registered, religious-exempt, or school-based programs to be
4597 provided to parents.

4598 c. Instructional staff who have completed the training
4599 course as required in s. 402.305(2)(d)1., as well as staff who
4600 have additional training or credentials as required by the
4601 Agency for Workforce Innovation. The plan must provide a method
4602 for assuring the qualifications of all personnel in all program
4603 settings.

4604 d. Specific eligibility priorities for children within the
4605 early learning coalition's county or multicounty region in
4606 accordance with subsection (6).

4607 e. Performance standards and outcome measures adopted by
4608 the agency ~~for Workforce Innovation~~.

4609 f. Payment rates adopted by the early learning coalition
4610 and approved by the agency ~~for Workforce Innovation~~. Payment
4611 rates may not have the effect of limiting parental choice or

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4612 creating standards or levels of services that have not been
4613 authorized by the Legislature.

4614 g. Systems support services, including a central agency,
4615 child care resource and referral, eligibility determinations,
4616 training of providers, and parent support and involvement.

4617 h. Direct enhancement services to families and children.
4618 System support and direct enhancement services shall be in
4619 addition to payments for the placement of children in school
4620 readiness programs.

4621 i. The business organization of the early learning
4622 coalition, which must include the coalition's articles of
4623 incorporation and bylaws if the coalition is organized as a
4624 corporation. If the coalition is not organized as a corporation
4625 or other business entity, the plan must include the contract
4626 with a fiscal agent. An early learning coalition may contract
4627 with other coalitions to achieve efficiency in multicounty
4628 services, and these contracts may be part of the coalition's
4629 school readiness plan.

4630 j. Strategies to meet the needs of unique populations, such
4631 as migrant workers.

4632
4633 As part of the school readiness plan, the early learning
4634 coalition may request the Governor to apply for a waiver to
4635 allow the coalition to administer the Head Start Program to
4636 accomplish the purposes of the school readiness program. If a
4637 school readiness plan demonstrates that specific statutory goals
4638 can be achieved more effectively by modifying ~~using procedures~~
4639 ~~that require modification of~~ existing rules, policies, or
4640 procedures, a request for a waiver to the Agency for Workforce

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4641 Innovation may be submitted as part of the plan. Upon review,
4642 the agency ~~for Workforce Innovation~~ may grant the proposed
4643 modification.

4644 5. Persons with an early childhood teaching certificate may
4645 provide support and supervision to other staff in the school
4646 readiness program.

4647 6. An early learning coalition may not implement its school
4648 readiness plan until it submits the plan to and receives
4649 approval from the Agency for Workforce Innovation. Once the plan
4650 is approved, the plan and the services provided under the plan
4651 shall be controlled by the early learning coalition. The plan
4652 shall be reviewed and revised as necessary, but at least
4653 biennially. An early learning coalition may not implement the
4654 revisions until the coalition submits the revised plan to and
4655 receives approval from the agency ~~for Workforce Innovation~~. If
4656 the agency ~~for Workforce Innovation~~ rejects a revised plan, the
4657 coalition must continue to operate under its prior approved
4658 plan.

4659 7. Sections 125.901(2)(a)3., ~~411.221~~, and 411.232 do not
4660 apply to an early learning coalition with an approved school
4661 readiness plan. To facilitate innovative practices and to allow
4662 the regional establishment of school readiness programs, an
4663 early learning coalition may apply to the Governor and Cabinet
4664 for a waiver of, and the Governor and Cabinet may waive, any of
4665 the provisions of ss. 411.223, 411.232, and 1003.54, if the
4666 waiver is necessary for implementation of the coalition's school
4667 readiness plan.

4668 8. Two or more counties may join for purposes of planning
4669 and implementing a school readiness program.

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4670 9. An early learning coalition may, subject to approval by
4671 the Agency for Workforce Innovation as part of the coalition's
4672 school readiness plan, receive subsidized child care funds for
4673 all children eligible for any federal subsidized child care
4674 program.

4675 10. An early learning coalition may enter into multiparty
4676 contracts with multicounty service providers in order to meet
4677 the needs of unique populations such as migrant workers.

4678 Section 184. Paragraph (a) of subsection (3) of section
4679 411.232, Florida Statutes, is amended to read:

4680 411.232 Children's Early Investment Program.—

4681 (3) ESSENTIAL ELEMENTS.—

4682 (a) Initially, the program shall be directed to geographic
4683 areas where at-risk young children and their families are in
4684 greatest need because of an unfavorable combination of economic,
4685 social, environmental, and health factors, including, without
4686 limitation, extensive poverty, high crime rate, great incidence
4687 of low birthweight babies, high incidence of alcohol and drug
4688 abuse, and high rates of teenage pregnancy. The selection of a
4689 geographic site must ~~shall~~ also consider the incidence of young
4690 children within these at-risk geographic areas who are cocaine
4691 babies, children of single mothers who receive temporary cash
4692 assistance, children of teenage parents, low birthweight babies,
4693 and very young foster children. To receive funding under this
4694 section, an agency, board, council, or provider must
4695 demonstrate:

4696 1. Its capacity to administer and coordinate the programs
4697 and services in a comprehensive manner and provide a flexible
4698 range of services;

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4699 2. Its capacity to identify and serve those children least
4700 able to access existing programs and case management services;

4701 3. Its capacity to administer and coordinate the programs
4702 and services in an intensive and continuous manner;

4703 4. The proximity of its facilities to young children,
4704 parents, and other family members to be served by the program,
4705 or its ability to provide offsite services;

4706 5. Its ability to use existing federal, state, and local
4707 governmental programs and services in implementing the
4708 investment program;

4709 6. Its ability to coordinate activities and services with
4710 existing public and private, state and local agencies and
4711 programs such as those responsible for health, education, social
4712 support, mental health, child care, respite care, housing,
4713 transportation, alcohol and drug abuse treatment and prevention,
4714 income assistance, employment training and placement, nutrition,
4715 and other relevant services, all the foregoing intended to
4716 assist children and families at risk;

4717 7. How its plan will involve project participants and
4718 community representatives in the planning and operation of the
4719 investment program; and

4720 8. Its ability to participate in the evaluation component
4721 required in this section. ; ~~and~~

4722 ~~9. Its consistency with the strategic plan pursuant to s.~~
4723 ~~411.221.~~

4724 Section 185. Paragraph (a) of subsection (6) of section
4725 445.006, Florida Statutes, is amended to read:

4726 445.006 Strategic and operational plans for workforce
4727 development.—

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4728 (6) (a) The operational plan must include strategies that
4729 are designed to prevent or reduce the need for a person to
4730 receive public assistance, including. ~~These strategies must~~
4731 ~~include:~~

4732 1. A teen pregnancy prevention component that includes, but
4733 is not limited to, a plan for implementing ~~the Florida Education~~
4734 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
4735 Teen Pregnancy Prevention Community Initiative within each
4736 county of the services area in which the teen birth rate is
4737 higher than the state average;

4738 2. A component that encourages ~~creation of~~ community-based
4739 welfare prevention and reduction initiatives that increase
4740 support provided by noncustodial parents to their welfare-
4741 dependent children and are consistent with program and financial
4742 guidelines developed by Workforce Florida, Inc., and the
4743 Commission on Responsible Fatherhood. These initiatives may
4744 include, but are not limited to, improved paternity
4745 establishment, work activities for noncustodial parents,
4746 programs aimed at decreasing out-of-wedlock pregnancies,
4747 encouraging involvement of fathers with their children including
4748 court-ordered supervised visitation, and increasing child
4749 support payments;

4750 3. A component that encourages formation and maintenance of
4751 two-parent families through, among other things, court-ordered
4752 supervised visitation;

4753 4. A component that fosters responsible fatherhood in
4754 families receiving assistance; and

4755 5. A component that fosters provision of services that
4756 reduce the incidence and effects of domestic violence on women

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4757 and children in families receiving assistance.

4758 Section 186. Subsections (24), (25), and (26) of section
4759 1001.42, Florida Statutes, are amended to read:

4760 1001.42 Powers and duties of district school board.—The
4761 district school board, acting as a board, shall exercise all
4762 powers and perform all duties listed below:

4763 ~~(24) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING~~
4764 ~~REQUIREMENTS.—Beginning with the 2006-2007 school year:~~

4765 ~~(a) Each district school board shall designate a classroom~~
4766 ~~teacher to serve as the teacher representative to speak on~~
4767 ~~behalf of the district's teachers regarding paperwork and data~~
4768 ~~collection reduction.~~

4769 ~~(b) Each district school board must provide the school~~
4770 ~~community with an efficient method for the school community to~~
4771 ~~communicate with the classroom teacher designee regarding~~
4772 ~~possible paperwork and data collection burdens and potential~~
4773 ~~solutions.~~

4774 ~~(c) The teacher designee shall annually report his or her~~
4775 ~~findings and potential solutions to the school board.~~

4776 ~~(d) Each district school board must submit its findings and~~
4777 ~~potential solutions to the State Board of Education by September~~
4778 ~~1 of each year.~~

4779 ~~(e) The State Board of Education shall prepare a report of~~
4780 ~~the statewide paperwork and data collection findings and~~
4781 ~~potential solutions and submit the report to the Governor, the~~
4782 ~~President of the Senate, and the Speaker of the House of~~
4783 ~~Representatives by October 1 of each year.~~

4784 (24) ~~(25)~~ EMPLOYMENT CONTRACTS.— A district school board may
4785 not enter into an employment contract that requires the district

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4786 to pay from state funds an employee an amount in excess of 1
4787 year of the employee's annual salary for termination, buyout, or
4788 any other type of contract settlement. This subsection does not
4789 prohibit the payment of earned leave and benefits in accordance
4790 with the district's leave and benefits policies which were
4791 accrued by the employee before the contract terminates.

4792 (25)~~(26)~~ ADOPT RULES.—Adopt rules pursuant to ss.
4793 120.536(1) and 120.54 to implement this section.

4794 Section 187. Present paragraph (c) of subsection (3) of
4795 section 1008.31, Florida Statutes, is redesignated as paragraph
4796 (e), and new paragraphs (c) and (d) are added to that
4797 subsection, to read:

4798 1008.31 Florida's K-20 education performance accountability
4799 system; legislative intent; mission, goals, and systemwide
4800 measures; data quality improvements.—

4801 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4802 data required to implement education performance accountability
4803 measures in state and federal law, the Commissioner of Education
4804 shall initiate and maintain strategies to improve data quality
4805 and timeliness. All data collected from state universities
4806 shall, as determined by the commissioner, be integrated into the
4807 K-20 data warehouse. The commissioner shall have unlimited
4808 access to such data solely for the purposes of conducting
4809 studies, reporting annual and longitudinal student outcomes, and
4810 improving college readiness and articulation. All public
4811 educational institutions shall provide data to the K-20 data
4812 warehouse in a format specified by the commissioner.

4813 (c) The commissioner shall continuously monitor and review
4814 the collection of paperwork, data, and reports by school

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4815 districts and complete an annual review of such collection no
4816 later than June 1 of each year. The annual review must include
4817 recommendations for consolidating paperwork, data, and reports,
4818 wherever feasible, in order to reduce the burdens on school
4819 districts.

4820 (d) By July 1 of each year, the commissioner shall prepare
4821 a report assisting the school districts in eliminating or
4822 consolidating paperwork, data, and reports by providing
4823 suggestions, technical assistance, and guidance.

4824 Section 188. This act shall take effect upon becoming a
4825 law.

4826