
Senate Committee on Governmental Reform and Oversight

CONTRACTING

HB 2019 — Service Contract Administration

by Children and Family Empowerment Committee, Rep. Lacasa and others (CS/SB 156 by Committee on Governmental Reform and Oversight)

This bill (Chapter 98-25) provides a series of systemic changes to the methods and expectations to be achieved by the service contracting procedures employed by the Department of Children and Family Services. It implements recommendations of a 1997 Senate report entitled *Service Contracting in the Department of Health and Rehabilitative Services*.

The bill provides for annual reporting on the effectiveness of agency contracting and its ability at achieving performance goals using delivery systems different from those involving traditional state employment. A presumption in favor of purchased client services is created whenever a series of conditions affecting vendor performance, new program authorization, or market-based price or resource availability is established. The state agency may overcome these presumptions only upon a material demonstration of public necessity or service endangerment.

The department shall annually evaluate each of the service districts and its programs to ensure fiscal accountability. Additionally, the department may establish performance standards and alternative procurement means to those provided in the conventional request-for-proposal and invitation-to-bid formats. These means shall stress multi-year contracts and shall provide for the maintenance of rigorous quality review of contract vendor applicants. Contract performance failures may subject the vendor to financial penalties which themselves may not be offset by reduced client services. The department must also develop standards of conduct for its own employees which are to be incorporated in its agency employee handbook by the end of 1998.

The department is required to place in its standard contract document a provision for the filing of a lien to protect the state's pro-rata share of interest in any fixed asset for which it has provided funds. The lien may be vacated at the end of twenty years, as adjusted for depreciation.

Further refinement of internal financial integrity systems is required by the agency to be accompanied by outside review by the Auditor General and the Office of Program Policy Analysis and Governmental Accountability. The department is required to establish contract management

units in each of the service districts with subsequent reports due to the Legislature by the end of 1999 on their operation and configuration as centralized or decentralized entities. A total of five separate reports are due to legislative branch agencies in fulfillment of the revised contracting and quality assurance activities contained in the bill.

These provisions became law without the Governor's signature on April 28, 1998.

Vote: Senate: 36-0; House 106-0

RETIREMENT

SB 1462 — Retirement Funds/Municipalities

by Senator Gutman

SB 1462 gives greater latitude to the boards of trustees of the independently constituted firefighter and police retirement plans organized under chs. 175 and 185, F.S., for the investment of their pension trust monies in foreign securities. The authorization granted is permissive and is made subject to approval of the board of trustees. Additionally, the bill requires a majority vote of the members of the boards on all official business coming before it and permits an allocation of up to ten percent of plan assets in foreign securities.

Each board secretary shall keep an accurate record of all pension-eligible members with their current addresses. The existing triennial requirement for the evaluation of money managers is further modified to require that such a person must be professionally qualified with reference to four enumerated criteria. Each board is given the authority to employ its own attorney, actuary, or professionally qualified adviser, or may use those provided by the municipality or special fire control district, under terms each board finds acceptable.

The bill amends ss. 175.071 and 185.06, F.S.

If approved by the Governor, these provisions take effect October 1, 1998.

Vote: Senate: 39-0; House 115-0.

CS/CS/HB 3131 — Deferred Retirement Option Program

by General Government Appropriations Committee; Reps. Feeney and others (CS/SB 216 by Governmental Reform & Oversight Committee and Senator Gutman and SB 1950 by Senator Burt)

The bill (Chapter 98-18) amends s. 121.091, F.S., and clarifies member eligibility for participation in the Deferred Retirement Option Program (DROP). The bill includes a grandfather provision for members exceeding the normal retirement date or for members exceeding the 60 month limitation period. The provision allows for a maximum five-year, sixty-month participation period in the DROP unless the member is a Special Risk Class member and has reached normal retirement date with a total accrued value exceeding 75 percent of average final compensation (AFC). Special Risk Class members may participate in DROP for no more than 36 calendar months immediately following the effective date of the DROP in the event the limitation is exceeded.

The bill also allows purchase of retirement credit in the Florida Retirement System for persons who possess in-state service in accredited nonpublic, nonsectarian schools and colleges.

These provisions became law without the Governor's signature on April 22, 1998.

Vote: Senate 34-0; House 118-0

CS/CS/HB 3491 — Florida Retirement System

by Finance and Taxation & Governmental Operations Committees; Reps. Boyd and others (SB 1950 by Senator Burt)

The committee substitute for committee substitute amends and clarifies the calculation of retirement benefits under the existing system for dual normal retirement ages and post retirement service class upgrades.

The bill addresses the nullification of a member's joint annuitant designation in the event of a dissolution of marriage and stipulates that if a member dies before his or her effective date of retirement on or after January 1, 1999, the deceased member's spouse shall automatically be the member's beneficiary unless otherwise stipulated by the member. The bill also provides that if a member dies before vesting and qualifying for retirement benefits, the deceased members designated annuitant may purchase additional service in order to qualify and vest retirement benefits in the retirement system.

The bill allows Florida Retirement System (FRS) members to purchase up to 5 years of retirement credit for in-state service with an accredited nonpublic sectarian school or college.

The bill provides that any uncashed state retirement warrant issued by the Comptroller and not presented for payment within 1 year after the last day of the month in which the warrant was originally issued, shall be canceled and credited to the FRS Trust Fund or other pension trust fund, as appropriate.

The bill directs the Executive Director of the State Board of Administration and the Director of the Division of Retirement with oversight from legislative members, to undertake a comprehensive review of the assumptions and contribution rate structure underpinning the operations of the FRS and to submit a report by March 1, 1999, concluding their findings.

The bill increases the health insurance subsidy contribution rate from \$3 to \$5. Members will receive a minimum monthly benefit payment of \$50 to a maximum monthly benefit payment of \$150 depending upon the members vested retirement years of service. The bill will act as the implementation bill for the health insurance subsidy contribution rate changes and the retirement contribution rate changes to take effect on July 1, 1998, and resulting from the 1997 Biennial Actuarial Valuation of the FRS.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 116-0

PERSONNEL

HB 3205 — National Guard

by Rep. Wiles (SB 534 by Senator Kirkpatrick)

HB 3205 corrects changes made by the 1997 Legislature to the Florida National Guard tuition assistance program. Under the 1998 amendments contained in this bill, the National Guard will have preserved its former partial tuition assistance program should the full assistance expansion enacted last year not be fully funded by subsequent legislatures.

The bill amends s. 250.10, F.S.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 32-0; House 114-0

HB 3261 — State Employee Telecommuting

by Rep. Culp and others (SB 496 by Senator Kirkpatrick)

HB 3261 (Chapter 98-31) removes the mandatory expiration date for the state employee telecommuting program enacted by the 1994 Legislature. This program authorization will now have a continuing existence and will not be subject to any automatic statutory repeal.

The bill repeals s. 3 of ch. 94-113, L.O.F.

These provisions became law without the Governor's signature on April 29, 1998.

Vote: Senate: 39-0; House 118-0

FINANCIAL MANAGEMENT

SB 222 — Bond Requirements

by Senator Burt

The bill (Chapter 98-34) is based upon an interim project entitled *A Review of the Necessity for Performance (Surety) Bonds for Public Officers and Public Employees* completed by staff of the Joint Legislative Auditing Committee in 1995. The bill repeals and amends many provisions of law that require the procurement of performance bonds by specified state officers, county officers, constitutional officers, clerks of the courts, other officers of the courts, local government officials, and other specific public employees. Instead, in most cases, an agency head, at his or her discretion, is authorized to require a surety or performance bond of any employee, should the need arise.

These provisions became law without the Governor's signature on April 30, 1998.

Vote: Senate 39-0; House 110-1

SB 400 — Florida Single Audit Act

by Senator Burt

The bill creates s. 216.3491, F.S., "The Florida Single Audit Act" and establishes audit and accountability requirements for units of local government and non-profit organizations which function as contract vendors to public agencies and to which monies from the General Appropriations Act are channeled each year. It implements findings and recommendations of the Auditor General to bring the State into compliance with federal legislation of the same name enacted in 1991.

This bill repeals s. 216.349, F.S., relating to tiered audit requirements for contract awards in excess of \$100,000.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 38-0; House 120-0

CS/HB 823 — State Moneys/Investments

by Finance and Taxation Committee and Reps. Gay and Feeney (CS/SB 1056 by Governmental Reform & Oversight Committee and Senator Kurth)

This committee substitute amends ss. 18.10, 626.8473 and 766.315, F.S., and revises investment guidelines for the State Treasurer with respect to state moneys, broadening the availability of investment vehicles now restricted under current law. The bill authorizes the board of the Florida Birth-Related Neurological Injury Compensation Association (NICA) to invest plan funds only in the investment and securities described in s. 215.47, F.S., for the State Board of Administration.

The committee substitute directs title insurance agents to place immediately all funds received for escrow or trust in a financial institution located within this state and insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund. The fund must also be invested in accordance with the investment requirements and standards established for deposits and investments of state funds in s. 18.10, F.S.

The committee substitute also provides conforming and clarifying changes to authorize a financial institution that has a branch or principal place of business in Florida, as defined in s. 658.12, F.S., to act as a qualified public depository.

The committee substitute requires a public depositor to assume greater responsibility in the protection of its public deposits. Qualified public depositories will have greater accountability in classifying, reporting, and the collateralization of public deposits and must provide annual confirmation of public deposits accounts. The bill requires the Treasurer to compare public deposits information reported annually by qualified public depositories and public depositors, only for those qualified public depositories ranked in the lowest category based on established financial condition criteria. Lastly, the two advisory committees and the two respective separate contingent liability pools for banks and savings and loans associations are consolidated.

If approved by the Governor, these provisions take effect July 1, 1998.

Vote: Senate 38-0; House 117-0

CS/HB 3661 — State Board of Administration/Public Funds

by Governmental Operations Committee and Reps. Garcia and Ritchie (CS/SB 1352 by Governmental Reform and Oversight Committee and Senators Rossin and Sullivan)

The committee substitute authorizes the State Board of Administration [SBA], at its discretion, to enter into a trust agreement as investment manager with the head of a state agency or a governing body of a unit of local government. The funds and earnings pursuant to the trust agreement will be exempt from service charges. The bill also clarifies and expands the existing investment authority of the SBA. The SBA is now authorized to increase its total foreign market holdings for any one fund from 10 percent to 20 percent and its total internally managed common stock holding from 50 percent to 75 percent.

The bill removes the authority of the Department of Management Services to review service charges imposed upon other agencies and the judicial branch by the SBA for investment management services. The committee substitute authorizes the Office of Program Policy Analysis and Government Accountability to conduct performance audits regarding the management of the SBA every 2 years.

The bill authorizes the SBA to manage the investment portfolio of the Division of Blind Services. The bill provides that bond maturities for lottery revenue bonds issued pursuant to ch. 97-384, L.O.F., shall not exceed 20 years and that any additional funds received as a result of new lottery gaming activities will be made available first for the payment of “Classrooms First Program” and “1997 School Capital Outlay Bond Program” bonds pursuant to s. 24.121(2), F.S.

If approved by the Governor, these provision take effect upon becoming law.

Vote: Senate 38-0; House 119-0

TECHNOLOGY

CS/SB 832 — State Planning and Budgeting

by Governmental Reform & Oversight Committee and Senators Kirkpatrick, Sullivan and Forman

The 1997 Legislature passed ch. 97-286, L. O. F., which set forth comprehensive changes to the State’s use and management of its information technology resources. This committee substitute provides a few necessary, statutory revisions, technical in nature, to increase the overall effectiveness of the original legislation. The committee substitute exempts from inclusion in the agency strategic plan, and from the mandatory review for budget amendments, certain information resources management projects that are a continuation of hardware or software maintenance or

software licensing agreements, or certain desktop replacement. The bill clarifies that members of the State Technology Council may appoint a designee to serve on the member's behalf and requires that coordinating councils and boards, like agencies, provide annual performance reports. The committee substitute changes the due dates for the agency annual information resources management performance report and the state annual report on information resources management and requires project monitors to report quarterly. The Office of Program Policy and Governmental Accountability is added as a designated recipient of project monitor reports. The bill also modifies the statutory responsibilities of the Geographic Information Board.

The committee substitute describes in greater detail and by definition what "incentives" and "disincentives" are regarding the performance-based budgeting process. The committee substitute also creates definitions for "performance-based program appropriation" and "performance ledger." Additional documentation supporting performance measures is required by the committee substitute. Time-frames are changed to allow submission to the Legislature of programs and measures in advance of developing a performance-based program budget request. Reliance on large programs is reduced by repealing the prohibition against agencies using existing 5 percent budget transfer authority between programs.

The committee substitute also provides that all remaining programs within the Department of Education must convert to performance-based budgeting by September 1, 1999. State attorneys, public defenders, the Justice Administrative Commission, and capital collateral counsel, are added to the performance-based budgeting schedule. Agencies created after September 1, 2000, are required to submit performance-based budgets within a specified period. The committee substitute also establishes in statute the constitutionally-created Budget Stabilization Fund.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 119-0

CS/HB 3619 — Computer Problems/Year 2000

by Governmental Operations Committee, Reps. Culp and others (CS/SB 1162 by Judiciary Committee and Senators Kirkpatrick, Sullivan and Forman)

The committee substitute establishes newly authorized executive powers for the Governor and Cabinet in order to avert or mitigate computer date calculation failures with regard to the year 2000 problem dilemma. The bill gives the Governor and the Cabinet the flexibility to assign and reassign both fiscal and personnel resources to more efficiently resolve projected or actual computer failures between agencies and instrumentalities of the state and units of local government. The emergency powers granted to the Governor relating to year 2000 computer problems are repealed July 1, 2000.

The bill protects the state and its legal subdivisions from civil and administrative legal actions resulting from year 2000 computer date calculation failures. Private and public university schools of medicine providing clinical patient care services to the public that are funded in whole or in part by the state are also partially protected from civil and administrative legal actions resulting from such problems.

The committee substitute provides that no new technology projects will be funded unless the agency plan for Year 2000 projects is on schedule for the last two reporting periods.

If approved by the Governor, these provisions take effect upon becoming a law.

Vote: Senate 39-0; House 118-0

GOVERNMENTAL EFFICIENCY

SB 200 — County Court Assessments

by Senator Klein

The bill creates s. 938.35, F.S., which provides that a county may assign to an attorney or collection agency the collection of fines, court costs, and other costs imposed by the court which remain unpaid after a certain period. The county must determine that collection is cost-effective and must follow applicable procurement practices. The costs of collection may be recovered but the fees and costs of collection may not exceed 40 percent of the total fines and costs owed.

If approved by the Governor, these provisions take effect July 1, 1998.

Vote: Senate 37-0; House 118-0

SB 498 — Certified Audits Program

by Ways & Means Committee, Senator Sullivan and others

The bill creates s. 213.285, F.S. and amends ss. 213.053 and 213.21, F.S., to authorize the Department of Revenue (DOR) to initiate a certified audits program under which taxpayers may hire qualified practitioners to review and report on their tax compliance. The bill specifies the requirements for participation by such practitioners and also provides authority for DOR to compromise penalties or abate interest for taxpayers who participate in the project.

If approved by the Governor, these provisions take effect July 1, 1998.

Vote: Senate 33-0; House 118-0

CS/SB 1574 — Legislative Services/JLMC

by Governmental Reform & Oversight Committee and Senator Grant

The committee substitute abolishes the six-member Joint Legislative Management Committee (JLMC) which provided administrative services to six of the seven operating entities of the legislative branch. The functional operations and support services of the committee which were organized and coordinated under the Executive Director's Office included six divisions: Administrative Services, Statutory Revision, Legislative Information, Library Services, Economic and Demographic Research, and Systems and Data Processing.

In place of JLMC, the bill creates the Office of Legislative Services and reorganizes and transfers the functional operations and support services of the committee under a single coordinator who may be selected by the Senate President and the Speaker of the House of Representatives. Five of the six divisions are included in the transfer; however, one is retitled from "Division" to "Office" and the Division of Library Services is transferred to the Department of State on July 1, 1998.

The Juvenile Justice Advisory Board is retitled the Juvenile Justice Accountability Board but remains assigned to the Joint Legislative Auditing Committee.

Both the Senate and the House have passed Senate Concurrent Resolution 2536 to properly conform their joint rules of procedure to the provisions of the bill.

This bill also repeals s. 11.39, F.S., creating the Joint Legislative Information Technology Resource Committee.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 107-0

PUBLIC RECORDS

SB 112 — Public Records/Employee Assistance

by Senator Latvala

This bill (Chapter 98-8) creates public records exemptions for sensitive information relating to public employees who participate in employee assistance programs at the state, county, and municipal levels. Although several public records exemptions are created by the bill, each exemption protects the same types of records, i.e., information relating to state, county, and municipal employees who participate in employee assistance programs.

The bill amends s. 110.1091, F.S. The bill creates ss. 125.585 and 166.0444, F.S.

These provisions became law without the Governor's signature on April 11, 1998.

Vote: Senate 34-0; House 117-0

SB 348 — Public Records/Minor's Statements

by Senator Cowin and others

This bill (Chapter 98-9) provides that identifying information in a videotaped statement of a minor who is the victim of a specified sexual crime is confidential and exempt from s. 119.07(1), F.S., and s. 24(a), Art. I, State Constitution, provided that the videotaped statement relates to one of the sexual offenses specified. Notwithstanding the exemption, any governmental agency that is authorized to have access to such statements by any provision of law must be granted access to the videotaped statement in furtherance of that agency's statutory duties. The videotaped statement retains its confidential and exempt status regardless of whether the agency creates the videotaped statement or receives the videotape from another agency.

The bill amends s. 119.07(3)(s), F.S.

These provisions became law without the Governor's signature on April 11, 1998.

Vote: Senate 33-0; House 115-0

CS/SB 1230 — Public Records/Kids Health Program

by Health Care Committee and Senator Brown-Waite

Under Art. I, s. 24 of the State Constitution, and ch. 119, F.S., the Public Records Law, records of governmental and other public entities are open to the public unless made exempt. Committee Substitute for Senate Bill 1230 exempts identifying information contained in an application for determination of eligibility for the Florida Kids Health program. The exemption includes medical information, family financial information, and any information obtained through quality assurance

activities and patient satisfaction surveys that identifies program participants. A statement of public necessity for the exemption is included.

The bill takes effect upon the effective date of CS/SB 4415, which is July 1, 1998, if approved by the Governor.

Vote: Senate 38-0; House 116-0

CS/SB 1408 — Public Records/Workers' Compensation

by Banking and Insurance Committee & Senator Clary

Under Art. I, s. 24 of the State Constitution, and ch. 119, F.S., the Public Records Law, records of public bodies are open to the public unless made exempt. Committee Substitute for Senate Bill 1408 exempts investigatory records of the Division of Workers' Compensation, Department of Labor and Employment Security, which are received from employers pursuant to its authority to enter work sites and inspect business records to ascertain compliance with workers' compensation coverage requirements, as provided by CS/SB 1406. This bill provides that the investigation or business records become public and are disclosed when the division's investigation is completed or ceases to be active. Under limited circumstances, certain business records remain confidential. This public records exemption provision is similar to current law for other state agencies which obtain records through their compliance-type activities, such as the Department of Insurance and the Agency for Health Care Administration.

The bill takes effect on the effective date of Senate Bill 1406, or similar legislation relating to the powers of the Division of Workers' Compensation. If approved by the Governor, CS/SB 1406 becomes law January 1, 1999.

Vote: Senate 40-0; House 119-0

CS/HB 1433 — Public Records/Investigations by Department of Children and Families

by Governmental Operations Committee and Rep. Brennan (CS/SB 506 by Children, Families and Seniors Committee and Senator Rossin)

This bill changes references in ch. 119, F.S., the Public Records Law, from the Department of Health and Rehabilitative Services to the Department of Children and Families. The affected provisions relate to public records exemptions in cases involving the death of a child, disabled adult, or elderly person as a result of abuse, neglect, abandonment, or exploitation.

Chapter 415, F.S., is amended to allow any person access to records involving the death of a disabled adult or elderly person determined to be a result of abuse, neglect, or exploitation, unless that information is otherwise confidential or exempt. Access to records of a child who dies as the result of abuse, abandonment, or neglect is also provided, with the exception of confidential

information contained therein or information identifying the person reporting the abuse, neglect, or exploitation.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 118-0

CS/HB 1437 — Public Records/Managed Care

by Health Care Standards Committee, Regulatory Reform Committee and Rep. Saunders (SB 166 by Senator Brown-Waite)

This bill creates a Public Records Law exemption for certain identifying information in a document, report, or record prepared or reviewed by the Statewide Provider and Subscriber Assistance Program panel or obtained by the Agency for Health Care Administration pursuant to s. 408.7056, F.S. The bill also provides a Public Meetings Law exemption for information of a sensitive or personal nature specifically regarding the subscriber's medical treatment or medical history, and for trade secret information, and internal risk management programs. The bill provides legislative findings as to the public necessity for the Public Records Law and Public Meetings Law exemptions. The bill amends s. 408.7056, F.S., and creates an undesignated section of law.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 111-0

CS/CS/HB 1849 — Public Records/Child-Care Facilities

by Governmental Operations & Children Committee and Family Empowerment Committee (SB 108 by Senator Hargrett)

This bill (Chapter 98-29) exempts certain personal information contained in a foster care licensure file regarding foster parents, their families, and homes from the public access required by ch. 119, F.S., and Art. I, s. 24 of the State Constitution, unless otherwise ordered by the court. The bill substantially amends s. 409.175, F.S.

These provisions became law without the Governor's signature on April 29, 1998.

Vote: Senate 38-0; House 115-0

CS/HB 1887 — Public Records/Florida Automobile Joint Underwriting Association
by Governmental Operations Committee and Rep. Ball (SB 746 by Senator Williams)

Under Article I, s. 24 of the State Constitution, ch. 119, F.S., the Public Records Law, and ss. 286.011- 286.012, F.S., the Government in the Sunshine Law, records and meetings of public bodies must be open to the public. This bill, which amends s. 627.311, F.S., clarifies that the Florida Automobile Joint Underwriting Association (FAJUA) is subject to the Public Records and Government in the Sunshine laws.

The bill also exempts from disclosure certain records relating to open claims files, underwriting files, open internal audits, privileged attorney-client communications, proprietary information, employee medical records, ongoing negotiations, and minutes of closed meetings. The bill also exempts portions of meetings relating to open claims files and underwriting files from the Government in the Sunshine law. A court reporter must record all closed meetings and those notes must be retained by the FAJUA for 5 years. A copy of the transcript of closed portions of meetings, less any exempt matters during which claims are discussed, becomes public after the claim is settled.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 113-0

CS/HB 1903 — Public Records/Florida Land Sales

by Governmental Operations Committee, Real Property and Probate Committee, and Rep. Crow (SB 806 by Senator Dudley)

Under Art. I, s. 24 of the State Constitution, and ch. 119, F.S., the Public Records Law, the records of governmental and other public entities must be open to the public unless made exempt. The bill creates a public records exemption for information relating to an active investigation by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business & Professional Regulation pursuant to ch. 498, F.S. Information relative to such an investigation is confidential until the investigation is complete or ceases to be active. Additionally, the bill provides that information that would jeopardize the integrity of another active investigation, information identifying a purchaser or complainant, and trade secrets remain confidential and exempt after the investigation is closed. The division, however, is authorized to provide confidential information to any law enforcement agency or administrative agency or regulatory organization. The bill amends s. 498.047, F.S.

If approved by the Governor, these provisions take effect October 1, 1998.

Vote: Senate 36-0; House 113-0

HB 1945 — Public Records/Graduate's Program

by Education Innovation Committee and Reps. Melvin and Wise (SB 1738 by Senator Horne)

Under Art. I, s. 24 of the State Constitution, and ch. 119, F.S., the Public Records Law, records of governmental and other public entities are open to the public unless made exempt. This bill creates an exemption from existing public records requirements for the identity of donors to the Florida Endowment Foundation for Florida's Graduates who desire to remain anonymous. It provides for future review and exemption.

This bill takes effect on the date that HB 1901 takes effect. If approved by the Governor, HB 1901 takes effect July 1, 1998.

Vote: Senate 36-0; House 118-1

CS/CS/HB 3311 — Public Records/Health Care Facilities

by Governmental Operations & Health Care Standards and Regulatory Reform Committees & Rep. Saunders (SB by 316 Senator Brown-Waite)

Under Art. I, s. 24 of the State Constitution, and ch. 119, F.S., the Public Records Law, records of governmental and other public entities are open to the public unless made exempt. This bill creates a public records exemption for information contained in a notice of adverse incident pursuant to s. 395.0197, F.S., and makes such information confidential. The bill provides that the information contained in the notice is not discoverable or admissible in a civil or administrative action, unless the action is a disciplinary proceeding by the Agency for Health Care Administration or the appropriate regulatory board. Further, the information may not be made available to the public as part of the record of investigation or prosecution in a disciplinary proceeding which is made available to the Agency for Health Care Administration or a regulatory board. The bill creates two undesignated sections of law.

This bill will take effect if SB 314 becomes law. If approved by the Governor, SB 314 becomes law on July 1, 1998.

Vote: Senate 39-0; House 117-0

CS/HB 3585 — Public Records/Health Facilities

by Governmental Operations Committee and Rep. Peaden and others (CS/CS/SB 1044 by Governmental Reform & Oversight Committee, Health Care Committee and Senator Williams)

Under Art. I, s. 24 of the State Constitution, and ch. 119, F.S., the Public Records Law, and ss. 286.011-286.012, F.S., the Government in the Sunshine Law, records and meetings of governmental and other public entities are open to the public unless made exempt. The bill exempts a private corporation that leases a public hospital or health care facility from public

records and meetings requirements if the public lessor complies with the public finance accountability provisions of s. 155.40(5), F.S., and if the public lessee meets at least three of five enumerated criteria. The exemptions apply retroactively to all existing leases and prospectively to all new leases. The bill creates s. 395.3036, F.S.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 116-0

OTHER

SB 150 — Journalist's Privilege

by Senator Sullivan

The bill creates s. 90.5015, F.S., providing a qualified privilege for professional journalists to refuse to be witnesses or to disclose specified information including the identity of any source. The privilege may be overcome upon a clear and specific showing that the information is relevant, cannot otherwise be obtained, and a compelling interest exists for disclosure. The bill limits circumstances constituting waiver of the privilege and provides for authentication of specified items for admission into evidence. The terms "professional journalist" and "news" are defined.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 31-8; House 105-7

CS/HB 945 — Environmental Equity and Justice

by Environmental Protection Committee and Reps. Eggelton and Carlton (CS/SB 1516 by Governmental Reform & Oversight Committee, Senators Turner and Casas)

CS/HB 945 creates a Center for Environmental Equity and Justice at Florida Agricultural and Mechanical University. In addition to the Center, the bill creates a series of community environmental health projects in eight named counties, each of which will have a separately constituted advisory board of public and private sector professionals and citizens. The Department of Health is directed to provide assistance to each advisory group for securing supplemental assistance from other state and federal sources. That agency will also assist in the development of a registry to track environmental health problems affecting predominantly low-income individuals living in the vicinity of contaminated sites.

The bill appropriates \$672,000 for operation of the university center and another \$100,000 for the community environmental health program advisory boards.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 115-0

CS/HB 1125 — Notaries Public

by Governmental Operations Committee and Rep. Jones (CS/SB 1130 by Banking & Insurance Committee and Senator Grant)

This bill clarifies and reorganizes ch. 117, F.S., which relates to notaries public. The bill specifies that a notary public may perform official duties only in Florida and requires that applicant must be able to read, write, and understand the English language. As well, the bill requires submission of a letter of resignation from notaries who do not maintain legal residence in the state during their commission period or when the Governor requires their resignation. The bill places solemnization of marriage authority in a newly-created section of law. The bill increases the amount of the notary bond from \$5,000 to \$7,500. Notaries are required to make reasonable accommodations to provide services to persons with disabilities. The bill also modifies and makes uniform notary forms throughout the Florida Statutes.

If approved by the Governor, these provisions take effect January 1, 1999.

Vote: Senate 38-0; House 120-0

HB 1749 — Law Day/Law Week

by Rep. Crow (SB 928 by Senator Campbell)

The bill (Chapter 98-23) designates May 1 as “Law Day.” The days preceding May 1, beginning with Sunday and ending on the Saturday following May 1, are designated as “Law Week.” Law Day and Law Week are designed to commemorate the role of law in society. Each year the Supreme Court, with the support of The Florida Bar, decides the theme that is celebrated. The bill creates s. 683.22, F.S.

These provisions became law upon approval by the Governor on April 27, 1998.

Vote: Senate 38-0; House 116-3

CS/HB 3393 — Air Carriers

by Business Development & International Trade Committee, Rep. Turnbull and others (CS/CS/SB 1846 by Governmental Reform & Oversight Committee, Commerce & Economic Opportunities Committee and Senator Williams)

CS/HB 3393 directs the Department of Management Services to conduct a three-year pilot project on ways of encouraging improved air carrier service to the state capital on behalf of state employees and other citizens. The Department shall coordinate its efforts with the Department of Banking and Finance and shall adopt guidelines for good purchasing practices in such matter, regardless of the provisions of ss. 112.061 and 287.042, F.S., relating, respectively, to reimbursement for common carrier transport and purchasing.

The Legislature's Office of Program Policy Analysis and Governmental Accountability is directed to analyze the effects of the pilot program in separate six-month intervals. At the end of the first such interval if travel costs to the State of Florida have increased by more than 20% the state airfare contract shall be reinstated.

The bill further directs Enterprise Florida, Inc., to undertake a study of regional airports and their contribution to regional economies and industrial facilities. A report to each of the Legislature's presiding officers is required by February 1, 1999.

The bill does not amend any referenced sections of the Florida Statutes.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 115-0

HB 3689 — Historical Resources

by Tourism Committee, Rep. Barreiro and others

The bill repeals a statute that requires the Division of Historical Resources, Department of State, to maintain the Florida Folklife Archives. The Florida Folklife Archives (currently called the "Florida Folklife Collection," is housed in the Florida State Archives under the Division of Library and Information Services. Further, the bill repeals a statute that created the Florida Folklife Grant Program. As well, the bill amends the definition of "historic resource" so that it includes folklife resources.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 114-0

HB 3785 — Consumer Protection

by Business Regulation & Consumer Affairs Committee, Rep. Ogles and others (CS/SB 1620 by Governmental Reform & Oversight Committee and Senator Williams)

The Division of Consumer Services of the Department of Agriculture and Consumer Services (DACS), is responsible for enforcing many consumer protection laws. The bill revises a number of consumer protection statutes. The bill permits the Department of Revenue to share names, addresses, and sales tax registration information with the DACS. The committee substitute provides that charitable organizations raising less than \$25,000 per year will be required to register with the DACS, instead of filing for an exemption.

Further, the bill requires applicants for a telemarketing license to disclose whether adjudication was withheld for a felony offense. The committee substitute requires sellers of business opportunities to include their advertisement identification number in all written materials. The committee substitute also imposes a \$25 late fee for late filed renewals of motor vehicle repair shop registrations. The committee substitute requires advertising that includes free items must include a clear and conspicuous statement of any condition or obligation.

If approved by the Governor, these provisions take effect October 1, 1998.

Vote: Senate 40-0; House 114-0

CS/HB 3979 — Historic Pensacola Preservation Board

by Tourism Committee and Rep. Maygarden (CS/SB 2132 by Governmental Reform & Oversight Committee and Senator Clary)

This bill clarifies that the Division of Historical Resources of the Department of State may fix and collect charges for the rental of facilities and properties managed by the division. Further, it deletes a requirement that moneys received from admissions and rentals of facilities and properties managed by the Historic Pensacola Preservation Board of Trustees be deposited into the Historic Pensacola Preservation Board Operating Trust Fund. Funds instead will be deposited into an account of the direct-support organization of the board. The bill amends ss. 266.0018 and 267.17, F.S., and repeals s. 266.0015(2), F.S.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 116-0

HB 4039 — State Lands/Special Events

by Rep. Sanderson (CS/SB 2346 by Governmental Reform & Oversight Committee and Senator Campbell)

This bill amends s. 253.03, F.S., allowing any entity to apply for special events permits to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) whether or not they are riparian upland property owners and if the event customarily occurs at a specific site for a period not to exceed 30 days. Riparian owners of adjacent uplands not seeking a lease or a consent of use shall be notified by certified mail regarding individuals who request leases or consent of use from the Board of Trustees. The bill permits, upon issuance of consents of use or leases to riparian landowners or event promoters, the installation of temporary structures for special events, if the structures or activities do not damage natural resources and if motorboat racing, high-speed contests or displays do not occur in areas frequented by manatees.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 114-0

CS/HB 4283 — Long-Term Care

by Elder Affairs & Long Term Care Committee, Rep. Peaden and others (CS/SB 2342 by Governmental Reform & Oversight Committee and Senator Bankhead)

CS/HB 4283 directs the Department of Elder Affairs to design, market, and implement a program of long-term care for public employees and their dependents with the advice of the Division of State Group Insurance. The plan shall review self-insured as well as fully insured alternatives in preparation for the issuance of a request for proposal and the awarding of a third-party administrator contract. The bill creates a board of directors for the plan with representatives from several state agencies designated to assist in the planning process. The State Board of Administration is named the custodial agent for fund management although the State of Florida is required to be held financially harmless for losses incurred by the plan administrator for contractual noncompliance.

The bill creates s. 430.801, F.S.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 114-0

RULE AUTHORIZATION BILLS (RAB'S)

Section 120.536(2), F.S., required that all agencies identify to the Joint Administrative Procedures Committee (JAPC), by October 1, 1997, all rules or portions of rules adopted before October 1, 1996, which exceed the agency's statutory rulemaking authority. The statute also provides that the Legislature shall, during the 1998 Regular Session, consider whether the identified rules are necessary and whether authorizing legislation should be enacted.

JAPC reported that some 5,850 rules, or portions of rules, were identified as exceeding the reporting agency's statutory rulemaking authority. The following Rule Authorization Bills represent authorization for the bulk of the identified rules.

SB 734 Fuel Measuring Devices	This bill (Chapter 98-38) amends s. 525.07, F.S., to authorize rules pertaining to the repair and adjustment of fuel measuring devices by meter mechanics and provides for notification to the Department of Agriculture and Consumer Affairs.
SB 768 Sureties	This bill (Chapter 98-39) amends s. 648.442, F.S., to authorize rules pertaining to establishing a form for affidavits and statements regarding the amount and source of any security or consideration for the surety bond; and prescribing a statement to be included on indemnity agreements.
SB 770 Firefighters Training and Certification Program	This bill (Chapter 98-40) amends s. 633.35, F.S., to authorize rules pertaining to issuance of special certificates for administrative and command heads in firefighter and forestry firefighting training and certification programs, and provides guidelines for certain re-examinations.
CS/SB 1346 Occupational Safety	This bill amends ch. 442 and s. 627.0915, F.S., authorizing rules for Safety Division investigations of public sector employers, as well as rules for said division regarding record keeping responsibilities for public sector employers, for adoption of federal standards, and providing that specified references to federal officials in adopted federal standards refer to specified state officials for purpose of state law.

<p>CS/SB 1342 Workers' Compensation</p>	<p>This bill amends ss. 440.05, 440.15, 440.16, 440.185, 440.191, 440.20, 440.40, 440.42, and 440.49, F.S., to authorize rules pertaining to worker's compensation forms and procedures, definitions, calculation methods, audit procedures and standards, and notice requirements, for specified programs.</p>
<p>SB 1350 Mortgage Lenders</p>	<p>This bill (Chapter 98-45) amends s. 494.0065, F.S., to authorize rules relating to one-time transfer of ownership, control, or certain voting power of a licensed mortgage lender by ultimate equitable owner under certain circumstances and documentation therefor; and providing exceptions for interfamilial transfers and denial of transfers under certain circumstances.</p>
<p>CS/SB 1706 Care of Elderly Persons</p>	<p>This bill amends ch. 400 and s. 409.212, F.S., to authorize rules providing requirements for contracts executed between licensees and residents of an assisted living facility; revising requirements for facilities regarding obtaining security bonds; creating provisions for provision of business records, and rules relating to pharmacy and dietary services, construction requirements, licensure, violations and penalties.</p>
<p>SB 1762 WAGES Program Eligibility</p>	<p>This bill amends s. 414.095, F.S., to authorize rules specifying beginning dates for benefits under the program and Medicaid coverage for program participants, and specifying that payee of temporary cash assistance may be caretaker with whom minor child resides.</p>
<p>CS/SB 1152 Disabled and Mentally Ill Persons Umbrella Trust Fund</p>	<p>This bill amends s. 402.175, F.S., to authorize rules pertaining to the Developmentally Disabled and Mentally Ill Persons' Umbrella Trust Fund providing for definitions, distinguishing between the main umbrella trust and individual trust funds, annual accounting practices, and designation of trustees.</p>
<p>SB 1720 Rulemaking Authority for Department of Children and Families</p>	<p>This bill amends ss. 393.066, 393.17, 394.4781, 394.78, 394.879, 397.321, 397.427, 409.212, and 409.285, F.S., to authorize rules pertaining to compliance with federal laws or regulations in rulemaking; providing for minimum standards in rules relating to certification programs; residential care for disturbed children; and developing standards for employee assistance programs. The bill also provides authorization for rules regarding Department administration and financial requirements, construction and design requirements.</p>

<p>CS/SB 1708 Agency Functions for Department of Labor and Employment Security</p>	<p>This bill amends numerous sections of the Florida Statutes to authorize rules relating to operation of vending stands by blind services, vocational rehabilitation for the blind, unemployment benefit eligibility, past due contributions to the unemployment compensation account, transfer of employee records, enforcement of child labor laws and farm labor contractors.</p>
<p>SB 1700 Manufactured Buildings</p>	<p>This bill amends ss. 553.37, 553.721, 553.907, and 553.992, F.S., to provide authority for rules relating to construction of manufactured buildings, collection of building permit surcharges, local reporting of compliance with thermal efficiency standards, and for radon-resistant passive building construction.</p>
<p>CS/SB 1702 Land and Water Adjudicatory Commission</p>	<p>This bill amends chs. 163 and 380 and ss. 20.255, 190.005, and 373.114, F.S., to provide rule authorization for growth management rules for the Department of Community Affairs relating to submission of and review of comprehensive plan amendments, sufficiency reviews, adoption of land development regulations, development of regional impact clearance letters and applications, compliance with the federal Coastal Zone Management Act, and Florida Quality Developments.</p> <p>The bill also provides authority for rules regarding the Florida Land and Water Adjudicatory Commission’s procedures relating to community development districts, areas of critical state concern, and water management districts.</p>
<p>SB 2316 Operations and Functions of the State Board of Independent Colleges and Universities</p>	<p>This bill amends ss. 246.081, 246.085, 246.087, 246.091, and 246.095, F.S., and creates s. 246.093, F.S., to authorize rules pertaining to restricting certain activities of students of foreign medical schools, certificates of exemption, procedures for college licensing requirements, requiring certain colleges to obtain permission to operate, and rules for fair consumer practices.</p>

<p>CS/SB 2000 State Board of Education Teacher Certification and Personnel</p>	<p>This bill amends ch. 231 and ss. 240.116 and 240.233, F.S., to authorize rules granting the Education Commissioner to make decisions regarding granting certification to applicants in extenuating circumstances not otherwise provided, allowing the state board to approve rules for expanded use of training and certification for teaching students having limited English proficiency, allowing boards to adopt rules for certain dual-enrollment programs, and articulation of foreign language competency and equivalency.</p>
<p>SB 2314 Community Colleges: Powers and Duties of Board of Trustees</p>	<p>This bill amends s. 240.319, F.S., to provide additional powers and duties to Community College Boards of Trustees in order to authorize rules.</p>
<p>CS/SB 1722 Powers and Duties of Local School Boards</p>	<p>This bill amends s. 230.23, F.S., and creates s. 230.23005, F.S., to provide additional powers and duties to local school boards in order to authorize rules.</p>
<p>CS/SB 1144 Department of Management Services Personnel and Facilities Management</p>	<p>This bill amends chs. 110, 216, and 946, F.S., to authorize rules for an employee review and performance planning system, for annual review of state training programs and to provide technical assistance for said programs, to provide a grievance process, to prohibit positions from being filled before they have been classified, and for use and value of perquisites.</p>
<p>CS/SB 1684 Division of Retirement: Retirement Benefits and Policy</p>	<p>This bill amends ch. 121, F.S., to authorize rules regarding vesting and normal retirement dates, participation in the Florida Retirement System, members' rights following conviction for causing shortage in public accounts, provisions for Special Risk Class membership, and requirements for determining death benefits.</p>
<p>CS/SB 1332 State Board of Administration</p>	<p>Amends ss. 215.835, 159.825, 218.405, 218.407, 218.409, and 240.551, F.S., to authorize rules pertaining to terms of bonds, pool investment accounts, investment and administration of local government surplus funds, trust funds, and the Florida prepaid postsecondary expense board.</p>

<p>CS/SB 1410 Health Care Professionals</p>	<p>This bill amends chs. 402, 455, 466, 467, and 491, F.S., to authorize rules relating to registration of health care services pools, treatment programs for impaired practitioners, equipment and supplies in registered dental laboratories, and midwife licensure, record keeping and reporting, and continuing education requirements for certified master social workers.</p>
<p>CS/SB 1716 Agency Functions of Department of Health</p>	<p>This bill authorizes the Department of Health to adopt rules pertaining to the functions and mission of the department. Rule authorization also is provided for immunization of children, prevention and control programs for communicable diseases, reporting by hospitals and laboratories regarding the occurrence of certain diseases, and regulating suppliers of water.</p>
<p>SB 1348 Agency for Health Care Administration Workers' Compensation Managed Care Arrangements</p>	<p>This bill amends s. 440.134, F.S., to authorize rules relating to worker's compensation managed care arrangements.</p>
<p>SB 1232 Agency for Health Care Administration Health Care Facilities</p>	<p>This bill amends s. 408.08, F.S., to authorize rules pertaining to the circumstances under which health care facilities may be granted extensions of deadlines for filing certain reports.</p>
<p>SB 1334 Environmental Data for Quality Assurance</p>	<p>This bill (Chapter 98-43) creates s. 403.0623, F.S., authorizing the Department of Environmental Protection to establish by rule appropriate quality-assurance requirements for environmental data submitted to the department, as well as criteria for rejecting environmental data that has been submitted. These rules may be in addition to any laboratory certification provisions in ss. 403.0625 and 403.863, F.S.</p>
<p>SB 1336 Asbestos Removal</p>	<p>This bill (Chapter 98-44) amends s. 376.60, F.S., authorizing the Department of Environmental Protection to establish a fee schedule, by rule, for asbestos removal.</p>

<p>SB 1434 Coastal Construction</p>	<p>This bill amends s. 161.052, F.S., authorizing the Department of Environmental Protection to adopt rules for the implementation of provisions relating to coastal excavation and construction, setback requirements, waivers or variances, exemptions, the removal of unauthorized structures or refilling of unauthorized excavations, and violations and penalties.</p> <p>The bill also revises s. 161.053, F.S., authorizing the department to establish exemptions for minor activities determined by the department not to have adverse environmental impacts on the coastal system. The bill authorizes the department to adopt rules relating to the establishment of coastal construction control lines, activities seaward of the coastal construction control line, exemptions, property owner agreements, delegation of the program, permitting programs, and violations and penalties.</p> <p>The bill amends s. 403.813, F.S., to clarify certain rulemaking authority relating to removal of organic materials from lakes.</p>
<p>SB 1436 Wastewater Treatment Facilities</p>	<p>This bill amends s. 403.33, F.S., to authorize the Department of Environmental Protection to classify water and wastewater treatment plants by size, complexity, and level of treatments. It also authorizes the department to establish the levels of certification and the staffing requirements for water and wastewater operators certified under ss. 403.865-403.876, F.S.</p>

<p>CS/SB 1440 Administrative Procedures and Marine Resources Rulemaking Authority; Uniform Rules of Procedure</p>	<p>Section 11.60(4), F.S., requires the Joint Administrative Procedures Committee (JAPC) to undertake and maintain a systematic, continuous review of statutes authorizing agencies to adopt rules and to make recommendations to the appropriate standing committees of the Legislature to address needed changes in rulemaking authority. This bill contains JAPC's recommendations in the more than 200 sections specifically addressing a general grant of rulemaking authority, although a few sections correct cross-references. Grants of authority may be categorized as specific or general. General grants of rulemaking authority relate to an agency's mission or the stated purpose of the enabling legislation. These sections standardize general grants of rulemaking authority to the greatest extent possible given the vast array of powers and duties granted to numerous agencies that are subject to ch. 120, F.S.</p> <p>This bill amends s. 120.54, F.S., enumerating requirements the uniform rules of procedure must include for filing petitions for administrative hearings pursuant to s. 120.569 or s. 120.57, F.S. It amends s. 120.569, F.S., providing requirements for agency action following receipt of a petition or request for a hearing. The bill amends s. 120.57, F.S., providing for motions for a summary final order in administrative hearings under certain circumstances.</p> <p>This bill also amends s. 370.06, F.S., to modify and clarify rulemaking authority for the Department of Environmental Protection relating to the issuance of special saltwater activity licenses. The bill amends s. 370.12, F.S., to modify and clarify the department's rulemaking authority for possession of marine turtles, or its nests, eggs, or hatchlings. Also, the bill amends s. 370.092, F.S., establishing prohibitions for possession of certain size gill or entangling nets on certain size vessels. It requires the Marine Fisheries Commission to adopt rules prohibiting the possession and sale of mullet taken in illegal gill or entangling nets. The bill amends s. 370.093, F.S., clarifying the Marine Fisheries Commission's authority to adopt rules relating to the illegal use of nets.</p>
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	<p>This bill amends s. 334.044, F.S., authorizing the Department of Transportation to regulate and prescribe conditions for the transfer of storm water resulting from man-made changes to adjacent properties, to the state right-of-way. It stipulates the regulation shall be through a permitting process designed to ensure the safety of department facilities and to prevent an unreasonable burden on lower properties. It provides specific authority to the department to adopt rules relating to the process for obtaining a drainage permit. The department is also authorized to adopt rules relating to suspension or revocation of a drainage permit and provides for department recovery of fines, penalties, and costs incurred as a result of permittee actions. Requires the department to accept a permit issued by a delegated local government or a permit issued pursuant to an approved Stormwater Management Plan or Master Drainage Plan, providing the issuance is based on requirements equal to or more stringent than those of the department. In addition, the bill repeals Section 1 of CS/SB 846 which contained similar but conflicting amendments to s. 334.044, F.S.</p>
CS/SB 1164 Professional Regulation	<p>This bill amends ss. 475.17, 475.25, 489.115, 489.1195, and 492.105, F.S., to authorize the Florida Real Estate Commission to adopt rules relating to an applicant’s good character, advertising, time limits for licensees on probation, and requirements for continuing education and “financially responsible officers.”</p>

CS/SB 1054 DBPR: Condominiums	This bill amends ch. 718, F.S., to authorize rules relating to condominium association meetings, notice requirements, transition to condominiums, filing and recording of certain information, requirements for certain contracts for sale or lease, and rules for requirements relating to condominium conversion.
CS/SB 1052 Florida Public Service Commission	This bill (Chapter 98-42) creates a new section in the Florida Statutes to authorize the Public Service Commission to adopt rules relating to purchasing and procurement, ensuring adequate ownership of real property upon which water and wastewater treatment facilities are located, and notice requirements in the case of a name change.
CS/SB 846 Department of Transportation Agency Functions	This bill amends ss. 334.044, 337.105, 337.18, and 339.0805, F.S., to authorize rules regulating the transfer of storm water to right-of-way as a result of man-made changes to adjacent property, suspending consultants from awards of department contracts for specified good cause, and providing incentives or damages for contracts for early completion of projects.
CS/SB 1710 Regional Transportation Authority	This bill amends s. 343.64, F.S., to authorize rules pertaining to qualification, compensation and employment of personnel and consultants to authorize a personnel system, and to delegate authority.

