

CS/SB 424 — Collective Bargaining/Employees

by Ways and Means Committee and Senator Carlton

The Conference Committee Report for CS/SB 424 is a compilation of law changes regarding employee benefits.

The bill resolves the mandatory collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2005-2006 FY.

The bill directs the Department of Management Services to offer, as a benefit to employees, four health insurance plans for calendar year 2006.

The bill authorizes the Department of Management Services to establish health savings accounts on behalf of state employees for calendar year 2006. In order to implement the health savings plan the department may contract with a single custodian to provide trustee services.

Lastly, the bill establishes the pharmacy copayments and coinsurance for two of the health insurance plans. The pharmacy benefits of the health maintenance organization offerings are governed by contract.

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

Vote: Senate 36-3; House 87-29

SB 2600 — Appropriations

by Ways and Means Committee

This bill is the General Appropriations Act, which provides moneys for the annual period beginning July 1, 2005 and ending June 30, 2006, to pay salaries, expenses, capital outlay – buildings, and other improvements, and for specified purposes of the various agencies of state government.

EDUCATION

- Total Education Budget - \$25.4 billion, including:
\$17.8 billion in direct appropriations, and
\$7.6 billion in local effort & student tuition & fees
- This is an increase in the operating budget of \$1.8 billion (7.8 percent) over the current year.

The Budget Includes:

- \$387.1 million in new General Revenue to implement the new voluntary Pre-K program for 4 year olds.
- An increase of \$1.33 billion (8.85 percent) for the FEFP. This increase:
Includes \$556.2 million in additional state funds to continue reducing class size by 2 students annually until the constitutionally required maximum class sizes are achieved; and
Provides an increase of \$355.41, or 6.15 percent in funds per student.
- Provides \$56.8 million to reduce the large disparity in funds per student from the discretionary .51 mill operating levy within the FEFP. State funds are provided to ensure that all districts will receive at least \$200 per student from the .51 mill levy and supplemental state funds.
- Provides a \$70.6 million (5 percent) increase in community college operating funds.
- Provides \$311.8 million for the Bright Futures program, an increase of \$35.8 million (13 percent).
- Restores \$18 million in current year nonrecurring funds for Florida Student Assistance Grants and increases funding for this needs-based student financial aid program by \$8.3 m (9.1 percent).
- Provides enrollment growth funding for 66,275 new students in public schools.
- Provides \$10 million for capitalization incentive grants to expand opportunities for access to vocational training in high demand jobs.
- Provides \$21 million for competitive grants to expand job training in high demand areas, including teaching & nursing.
- Provides funding for the enrollment of 7,292 new full time equivalent students in our state universities.
- Provides a \$14.1 m (17.7 percent) increase in the FRAG program to continue to support affordable access to private colleges and universities by Florida residents. The level of the FRAG per student will be \$2,850.
- Provides a 22.6 percent increase to expand recruitment and retention efforts by our Historically Black Private Colleges and Universities.
- Limits tuition increases by state universities and community colleges to 5 percent.

GENERAL GOVERNMENT

Major Environmental Issues:

- **Beach Restoration** - \$73.3 million to restore and protect the state's beaches on both the Gulf and Atlantic coasts. The state funding is matched with \$117 million in federal and local funds.
- **Water Projects** - \$130.6 million statewide for projects to restore and protect our lakes, rivers, bays, lagoons, and major watersheds. This includes \$5 million for Lake Okeechobee and \$7 million for the Keys.

- **Florida Forever** - \$300 million using the next series of bonds for land acquisition and conservation.
- **Everglades Restoration** - \$100 million using the first series of bonds for the Comprehensive Everglades Restoration Plan (CERP).
- **Land Management** - \$22.7 million distributed to the state's land managing agencies. These resources fund the state parks, greenways and trails, state forests, historic sites, wildlife management areas, and coastal and aquatic managed areas.
- **Oceans Initiative** - \$1 million to complete a Florida Oceans and Coastal Research Plan, prepare a coastal and ocean resource assessment, and fund demonstration projects to evaluate new marine stock enhancements.
- **Drinking & Wastewater Revolving Loan Programs** - \$13.5 million which generates 5 to 1 in Federal Match. The programs provide over \$100 million a year in low interest loans to local governments for building safe drinking water and wastewater facilities.
- **Florida Recreational Development Assistance Program (FRDAP)** - \$43.7 million for grants to local governments to acquire or develop land and trails for public outdoor recreation.
- **Solid Waste Grants** - \$6.5 million in grants to small local governments for managing solid waste and recycling operations, and \$1.2 million for the Innovative Waste Reduction grants program.
- **Mulberry/Piney Point Phosphate Clean-up** - \$19.5 million to continue cleanup efforts of the contaminated phosphate sites.
- **Land Reclamation** - \$5 million for the Non-mandatory Land Reclamation Program for eligible phosphate lands mined before July 1975.

Major Agricultural Issues:

- **Firefighting Equipment** - \$7.2 million for replacement of wildfire equipment to increase the safety of firefighters and the public and \$730,000 for replacement of two wildfire patrol airplanes.
- **Citrus Canker Eradication** - \$54.2 million provided for eradication efforts of the citrus canker disease in commercial groves and residential areas.
- **Agricultural Promotion Campaign "Fresh from Florida"** - \$2 million provided for marketing agricultural commodities. This program campaigns in 22 northeastern states as well as Canada.
- **Law Enforcement Officers and Infrastructure for Agricultural Interdiction Station** - 3 positions and \$1.7 million for staffing of law enforcement officers and necessary equipment for the interdiction station on I75.
- **Farm Share** - \$300,000 is provided for the recovery and distribution of unmarketable foods to agencies and families in need. Farm Share serves as a link between farmers with surplus fresh produce and social service agencies that provide food to the needy.
- **Food Banks** - \$300,000 for transportation costs for the Florida Association of Food Banks for the distribution of food and grocery products to the needy throughout the state.

- **Agriculture Best Management Practices (BMP)** - \$6.3 million to develop and implement BMPs and other non-point solutions for reducing nutrients and other pollutants entering the state's water bodies.

Major Consumer Protection & Accountability Issues Funded:

- **Department of Agriculture & Consumer Services** - \$115,724 and 2 FTE for the non-regulated consumer complaint clearinghouse in the Division of Consumer Protection.
- **Law Enforcement Officers to combat Personal Injury Protection (PIP) Fraud** - 9 FTE and \$915,138 for investigation of PIP fraud.
- **Workers' Compensation Fraud** - 10 FTE and \$724,433 for law enforcement officers to investigate workers' compensation fraud and staff to ensure medical bills are paid timely.
- **Workers' Compensation Office of Judges of Compensation Claims** - \$1.6 million and 20 FTE for 4 new judges and associated staff to address case workloads and hearing delays.
- **Bank Examinations** - \$1.5 million for additional resources to examine Florida financial institutions.
- **Condominium Complaints** - \$258,260 and 4 FTE for the Condominium Ombudsman's Office.
- **Funeral and Cemetery Regulation** - \$1,521,075 and 17 FTE for the establishment of the Division of Funeral, Cemetery, and Consumer Services within the Department of Financial Services.
- **Child Support Initiative** - \$2.2 million to improve Florida's Child Support Enforcement Program to ensure non-custodial parents take responsibility for their children and meet their financial obligations.
- **Statewide Electronic Procurement System** - \$15.5 million in budget authority for payment of the MyFloridaMarketPlace contract contingent on deposit of transaction fee revenue into the State treasury.
- **Tenant Improvement Funds** - \$1.6 million in budget authority for improvements to office space rented by state agencies. \$9.4 million in improvement funds held outside the state treasury have been deposited into the Department of Management Services' Grants and Donations Trust Fund.
- **New State Office Building** - \$1 million provided for planning and architectural design of a new state office building at the Capital Circle Office Complex in order to meet the deadline for the St. Joe property reverter clause.

Reductions:

- Reduced 131 Positions - \$3.6 million GR and \$24.1 million TF in governmental efficiencies.

HEALTH AND HUMAN SERVICES**AGENCY FOR HEALTH CARE ADMINISTRATION****Additions:**

- **Medicaid Price Level and Workload - \$1,862.1 million** - Provides \$725.9 for Medicaid workload because of changes in caseloads and utilization of services and \$1,146.5 million related to price level increases in reimbursement rates for institutional facilities, rural health clinics, federally qualified health centers, county health departments, prescription drugs, and other services. The Medicaid caseload for FY 2005-2006 is projected to be 2.3 million people.
- **Restore Medically Needy Program – \$393.3 million** - Restores all Medicaid services to an estimated 36,000 Medically Needy program eligibles, effective July 1, 2005. The Medically Needy program would have been limited to prescribed drugs only beginning July 1, 2005.
- **Restore Medicaid Coverage for Adult Dentures - \$20.7 million** - Restores funding to continue coverage for Medicaid adult denture services to an estimated 25,000 indigent adults. This program would have been eliminated July 1, 2005.
- **Restore Medicaid Pregnant Women with Incomes between 150 - 185 percent of the Federal Poverty Level - \$60.8 million** - Restores funding to provide Medicaid services to an estimated 3,400 Medicaid eligible pregnant women with incomes between 150 percent-185 percent of the federal poverty level. This program would have been eliminated July 1, 2005.
- **Increase Reimbursement for Kidney Dialysis - \$2.7 million** - Increases reimbursement for kidney dialysis treatment in freestanding dialysis centers from \$85 to \$125 per treatment.
- **Continue Goldstandard Multimedia Hand-Held PDA Device - \$3.4 million** - Provides funding for the operation and maintenance for 3,000 hand-held devices that provide physicians with information related to a Medicaid recipient's drug history and utilization. The device provides physicians with various clinical references to complement their practices and includes the most recent Medicaid preferred drug list.

Reductions:

- **Maintain Institutional Provider Reimbursement Rates - (\$390.0 million)** - Reduces the price level increase for Hospital Inpatient, Hospital Outpatient, Nursing Home, ICF/DD's and Health Maintenance Organization reimbursement rates for FY 2005-2006.

Reduction Amount by Provider Type

	GR	TF	Total
Nursing Home Rates	(\$54.3)	(\$77.8)	(\$132.1)
Inpatient Hospital Rates	(\$41.3)	(\$59.3)	(\$100.5)
Outpatient Hospital Rates	(\$6.9)	(\$9.9)	(\$16.8)
Prepaid Health Plans	(\$51.9)	(\$75.2)	(\$127.1)
ICF/DD's	(\$2.0)	(\$2.9)	(\$5.0)
	<u>(\$159.9)</u>	<u>(\$230.1)</u>	<u>(\$390.0)</u>

- **Impact to Hospice Rates - (\$8.5 million)** - Reduces hospice rates as a direct result of modifying nursing home reimbursement rates. Medicaid hospice room and board rates are paid at a discounted percentage of nursing home rates; therefore, if nursing home rates are modified, a corresponding savings in hospice will occur.
- **Delay Nursing Home Staffing Increase - (\$67.8 million)** – Delays the increase in nursing home staffing from 2.6 hours of direct care per resident per day to 2.9 hours until July 1, 2006.
- **Revised Medicaid Preferred Drug List - (\$292.0 million)** - Reduces prescribed drug services as a result of modifications to the Medicaid preferred drug list which includes cost-effective therapeutic options, step therapies, and prior authorization of drugs not on the preferred drug list.
- **Set HMO Rates Using Two Infant Groups - (\$75.0 million)** - Age grouping is currently used as part of the methodology in calculating HMO capitation rates. This proposal will divide the current age group for infants (0-12 months) into two separate groups; ages 0-3 months and 4-12 months.
- **Expand Nursing Home Diversion Program - (\$23.1 million)** - This issue will expand the current nursing home diversion program by 3,000 slots. This program currently serves approximately 6,000 individuals through a fully capitated program.
- **MEDS AD - (\$84.7 million)** - Eliminates full Medicaid coverage for an estimated 77,000 non-institutionalized Medicare eligible recipients in the Medicaid Aged and Disabled (MEDS AD) eligibility category, effective January 1, 2006.

DEPARTMENT OF CHILDREN AND FAMILIES

Additions:

- **Adoption Subsidies - \$2 million** - Increases funding for maintenance adoption subsidies for an additional 1,700 hard-to-place children who would linger in costly foster care arrangements for long periods of time if not adopted.
- **Equity Funding for Community-Based Care Providers - \$10.5 million** - Provides additional funding to achieve a more equitable distribution of child protection resources among community based care lead agencies.
- **Expand Crisis Stabilization Units - \$6.4 million** - Funds additional mental health crisis beds in districts with the greatest need.
- **Substance Abuse Services - \$5 million** - Provides \$5 million to achieve a more equitable distribution of substance abuse funds among districts. The General Appropriations Act provides \$3.6 million for adults and \$1.4 million for children.

Reductions:

- **Economic Self-Sufficiency - (\$12.5 million)** - Reduces staff in Economic Self-Sufficiency by 245 full-time equivalent positions to implement efficiencies in the eligibility determination activities related to cash assistance, Medicaid and food stamps.

- **Cash Assistance Caseload - (\$11.5 million)** - Reduces the temporary cash assistance appropriation due to the decline in the cash assistance caseload estimated by the January 2005 Social Services Estimating Conference.

DEPARTMENT OF ELDER AFFAIRS

- **CARES Workload - \$1.7 million** - Provides funds for 31 positions to support increased workload for the Comprehensive Assessment and Review of Long Term Care Services (CARES) nursing home preadmission screening program.
- **Home and Community-Based Services - \$11.4 million** - Provides \$10.1 million to serve 1,380 clients in the Aged and Disabled Adult (ADA) waiver and \$1.3 million to serve 164 clients in the Assisted Living for the Elderly (ALE) waiver.

AGENCY FOR PERSONS WITH DISABILITIES

- **Home and Community Based Services Waiver - \$6.25 million** - Provides funds to serve 250 new clients from the waitlist through the Home and Community Based Waiver.
- **Family and Supported Living Waiver - \$21.4 million** - Provides funds to serve 1,500 new clients from the waitlist through the Family and Supported Living Waiver.
- **Home and Community Based Services Waiver Utilization Increase - \$22.9 million** - Provides funds for a 3.5 percent utilization increase for clients currently on the waiver.
- **Clients in Crisis - \$6.8 million** - Provides funds to serve an additional 30 clients in crisis per month.
- **Transition Clients in Institutions Back to the Community - \$7.4 million** - Provides funds to transition clients from the Landmark and Gulf Coast institutions back into the community.

DEPARTMENT OF HEALTH

- **Capital Improvements for County Health Departments - \$25.7 million** - Provides funds for county health department buildings in Manatee, Walton, Brevard, Jefferson, Jackson, Gulf, and Charlotte counties.
- **Capital Improvement Plan - \$2.0 million** - Provides funds for maintenance and repair of state owned buildings.
- **Children's Medical Services - \$7.7 million** - Provides funding to restore \$4.7 million of non-recurring general revenue funds and provides \$3 million to provide services to an additional 2,000 children.
- **Area Health Education Centers - \$7.4 million** - Provides funds to fully restore the area health education centers.
- **Rural Hospitals - \$3.5 million** - Provides funds for a rural hospital capital improvement grant program.

DEPARTMENT OF VETERANS' AFFAIRS

- **Annualization of Veterans' Nursing Homes - \$1.2 million** - Provides funds to annualize the nursing home staffing requirements to 2.6 hours of direct patient care per patient per day for the Springfield Nursing Home in Bay County and Port Charlotte Nursing Home.

JUSTICE APPROPRIATIONS

- Provides \$23.2 million for the increase in the prison population as forecast by the Criminal Justice Estimating Conference.
- Provides \$17.4 million in general revenue and \$2.6 million in trust fund for the construction of approximately 3,940 new prison beds.
- Provides \$1 million to increase the number of electronic monitoring units in the Department of Corrections.
- Provides \$4.5 million and 50 FTE to expand the Medicaid fraud control unit and patient abuse, neglect and exploitation teams in the Department of Legal Affairs.
- Funds 20 additional forensic scientists to address growing caseloads and reduce DNA backlogs in the Department of Law Enforcement.
- Provides \$2.5 million to continue funding the Integrated Criminal History System in the Department of Law Enforcement.
- Provides \$5.5 million for grant funding to small counties for detention services in the Department of Juvenile Justice.
- Provides \$1 million to increase mental health overlay services in the Department of Juvenile Justice.
- Provides \$2.3 million to fund additional day treatment slots in the Department of Juvenile Justice.
- Provides \$5.5 million to fund a price level increase for private providers in the Department of Juvenile Justice.
- Addresses deferred maintenance in the Supreme Court with \$4 million.
- Provides \$5.5 million for repairs and renovations for 16 small county court houses.
- Provides \$10 million for state attorney and public defender workload.
- Provides a \$3.3 million increase for the Guardian Ad-Litem program.
- Covers the Capital Collateral Registry Commission deficit with \$800,000.

TRANSPORTATION AND ECONOMIC DEVELOPMENT

DEPARTMENT OF MILITARY AFFAIRS

- **National Guard Readiness Centers Revitalization Plan** (armory repairs and renovations) - \$7.3 million.

- **National Guard Tuition Benefit Program fully funded** - \$832,000.
- **Payment of Life Insurance Premiums for National Guard Members** - \$3.0 million.
- **Expands the Forward March Program** from \$1.8 million to \$2.1 million.
- **Expands the About Face Program** from \$2.5 million to \$3 million.

DEPARTMENT OF STATE

- **Historic Preservation Fixed Capital Outlay Grants** - \$12.5 million to fund the entire list of 47 recommended projects.
- **Historic Museum and Historic Preservation Operating Grants** - \$3.75 million.
- **Cultural Facilities Fixed Capital Outlay Grants** - \$11.7 million to fund the entire list of 40 projects.
- **Arts and Cultural Program Operating Grants** (nine separate grant programs) - \$11.6 million.
- **Library Construction Grants** - \$7.5 million to fund 15 of the 21 requested grants (funded one per county or municipality that requested projects).
- **Cultural Endowment Grants** - \$960,000 in matching endowment grants.
- **Challenge Grants** - \$280,776 to fund operating grants for 7 institutions.
- **Elections programs** - \$34 million in election program enhancements.

DEPARTMENT OF COMMUNITY AFFAIRS

- **Hurricane Shelters and Emergency Operations Centers** funded with \$13 million.
- \$7 million for the **Residential Construction Mitigation** program and \$8 million for the **Pre-disaster Mitigation Program**.
- \$1.263 billion in **Hurricane Disaster Assistance funding**.
- \$193 million for **Housing Programs**, including:
State affordable housing program - \$55.9 million;
Local affordable housing program (SHIP) - \$130.9 million.
- **Small Cities Community Development Block Grants** - \$40 million.
- **Florida Communities Trust Program** - \$66 million.
- **Front Porch Florida** - \$3 million.
- **Civil Legal Assistance** - \$5 million.

DEPARTMENT OF TRANSPORTATION

- **Small County Resurfacing Assistance Program (SCRAP)** - \$25 million.
- **Small County Outreach Program** - \$5.4 million.
- **County Transportation Programs** - \$21.8 million.
- **Transportation Economic Development Projects** - \$10 million.
- **Department of Transportation Work Program Total** - \$6.2 billion.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

- **Florida Highway Patrol** – Trooper Overtime Pay - \$4.5 million; Additional Equipment - \$1.0 million; and Replacement of Vehicles - \$4.6 million.
- **Customer Service Enhancements for Driver License Offices** - \$5.7 million.
- **Repairs and Maintenance** - \$4.8 million.

OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT

- **Economic Incentives Programs** - \$23.4 million for the QTI and QDC Programs.
- \$3 million provided for **Aerospace Industries Economic Development**.
- \$10 million provided for the **Quick Action Closing Fund**.
- \$12 million for **Enterprise Florida**.
- \$24.7 million for **Visit Florida**, including \$2 million to replenish the economic risk recovery fund that was used to boost Florida marketing after the 2004 hurricanes.
- **Film and Entertainment Industry Incentives** funded with \$10.6 million.
- **Rural Infrastructure Grants** increased this year to \$2.7 million from \$2.15 million last year.
- \$400,000 provided for the **Hispanic Business Initiative Fund Outreach Program**.
- \$7.4 million provided for **Military Base Protection and Defense Related Grants**.

AGENCY FOR WORKFORCE INNOVATION

- Expands the **Non-Custodial Parent Program** from \$750,000 to \$1.4 million.
- Provides \$8.2 million to continue other programs that were funded with non-recurring TANF funds last year.
- Expands the **Military Families Employment Program** from \$60,000 to \$200,000.
- Authorizes \$387 million for the implementation of the **Universal Pre-K Program** by AWI.

EMPLOYEE COMPENSATION

Salary Increases and Bonuses:

- 3.6 percent across the board pay increases for state employees, including university personnel, effective August 1, 2005.

Health Insurance:

- The overall health insurance premiums will be increased 6.75 percent. However, the employee share of that premium increases by about 2.75 percent (\$1.32 per month for single coverage and \$4.86 per month for family coverage).
- The Department of Management Services is directed to offer four health plans:

a PPO standard plan
an HMO standard plan
a PPO high deductible plan
an HMO high deductible plan

- The high deductible plans offer low premiums but higher out of pocket costs.
- For those employees choosing to participate in either high deductible plan, the employee can receive up to \$500 for individual coverage or up to \$1000 for family coverage for deposit into a health savings account. If these amounts are unused for a given year, the funds roll over into the next year to help offset medical costs.
- Co-payments and other out-of-pocket expenses for the standard plans are maintained at the current levels.

Other Pay Issues:

- Security service personnel with at least 5 years of service will receive a 2 percent adjustment to their base rate of pay.
- Law enforcement personnel assigned to the Florida Highway Patrol with more than 5 years of service will receive an annual pay adjustment based on years of service of:
5 to 8 years of service - \$600
8 to 12 years of service - \$900
12 or more years of service - \$1200
- Critical class adjustments requested by the professional health care unit were funded. These adjustments will assist the state in recruiting and retaining qualified health care professionals in the public health departments and in the correctional and institutional settings.
- Supreme Court support personnel receive an additional pay increase to enable the court to recruit and retain qualified staff.
- County judges receive an additional \$5,000 pay increase.
- The salaries of all state attorneys and public defenders are adjusted to be equal regardless of the size of the population served.

If approved by the Governor, these provisions take effect July 1, 2005, except as otherwise provided.

Vote: Senate 40-0; House 115-1

SB 2602 — Appropriations Implementing
by Ways and Means Committee

Section 1. Provides legislative intent.

Education Provisions

Section 2. Florida Education Finance Program (FEFP) calculations are incorporated by reference and are the basis for calculations pursuant to s. 1011.65, F.S.

Section 3. Provides limitations on university and direct support organization financings.

Section 4. Abolishes the Miami-Dade Land Acquisition and Facilities Advisory Board.

Health and Human Services Provisions

Section 5. Allows the Department of Children and Families to transfer funds within the family safety program between specified appropriations without limitation.

Section 6. Allows the Department of Children and Families to enter into agreements with a private provider to finance, design and construct a 200-bed forensic facility.

Section 7. Requires the Department of Children and Families to offer the Child Care Competency Exam in Spanish at least once a year.

Section 8. Changes are made to allow the use of cash in the Operations and Maintenance Trust Fund.

Section 9. Clarifies that counties are not exempt from paying 25 percent match for Baker Act services.

Section 10. Repayment of temporary transfers due to hurricanes in 2004-2005 may be extended into FY 2005-2006.

Section 11. Reduces developmental services waiver rates if they are projected to be above the November 1, 2003 level.

Section 12. Limits application of workers' compensation to developmentally disabled clients under the new Family Supported Living Waiver (already exempt under first waiver).

Justice Provisions

Section 13. The Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist a county or municipality in paying to open or operate a facility, not to exceed 1 percent of construction costs.

Section 14. Allows the Executive Office of the Governor to request additional positions during FY 2005-2006 for the Department of Corrections if the Criminal Justice Estimating Conference projects a certain increase in the inmate population.

Section 15. Authorizes the Department of Management Services to issue an “Intent to Negotiate” for new prison beds, limited to current private prison providers.

Section 16. Funds may be transferred from the Judicial Branch to the Justice Administrative Commission in order to address unanticipated shortfalls in due process appropriations.

Section 17. Provides that the Justice Administrative Commission and State Court deficits in due process services require Legislative Budget Commission budget amendments.

Section 18. Authorizes the Department of Legal Affairs to spend funds from two appropriations on the same programs funded in the prior years.

Section 19. The funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced.

General Government Provisions

Section 20. Allows the Department of Agriculture and Consumer Services to work with the Department of Transportation and use the Department of Transportation purchasing authority to build the Escambia interdiction station.

Section 21. Provides the Executive Office of the Governor the authority to transfer funds for Risk Management Insurance in order to align the budget authority granted with the premiums paid by each department.

Section 22. Provides the Executive Office of the Governor the authority to transfer funds for the HR outsourcing contract in order to align budget authority granted with assessments that must be paid by each department.

Section 23. Removes the Class C travel reimbursement for state travelers.

Sections 24 and 25. Allows commuting on the state plane.

Section 26. Allows the Department of Environmental Protection to award solid waste management grants in equal amounts to small counties and competitive innovative grants to certain cities and counties.

Section 27. Allows Land Acquisition Trust Fund moneys to be appropriated for water quality issues.

Section 28. Requires contaminated petroleum tank sites to have been acquired before 7/1/1990 and ceased to operate before 1/1/1985 to be eligible for financial assistance.

Section 29. Allows for the use of Inland Protection Trust Fund moneys to clean up petroleum contaminated sites at affordable housing sites and for the purchase of generators.

Section 30. Allows SWIM and invasive plant projects to remain available for mitigation for another year. Effectively extends the date for the Department of Environmental Protection to repay a loan from the Department of Transportation.

Section 31. Allows the Department of Environmental Protection to continue to publish Florida Administrative Weekly notices on the internet.

Section 32. Limits the permitting authority of the Department of Environmental Protection in the Northwest Florida Water Management District.

Section 33. Allows the Department of Agriculture and Consumer Services to use CARL funds for vehicle replacement.

Section 34. Creates the Florida Pork Producers Transition Grant Program within the Department of Agriculture and Consumer Services to provide assistance to any person or persons or entities that were using farming methods described in s. 21, Art. X, State Constitution on November 5, 2002.

Section 35. Increases presiding officers discretionary funds by \$10,000.

Transportation and Economic Development Provisions

Section 36. Allows for proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games.

Sections 37 and 38. Continue and expand the Passport to Economic Progress demonstration project.

Section 39. Authorizes exchange of real property between Highway Safety and Motor Vehicles and the Department of Environmental Protection in Palm Beach Gardens.

Section 40. Allows the Agency for Workforce Innovation to administer and implement the Teacher Education and Compensation Helps (TEACH) scholarship program. The program

provides educational scholarships to caregivers and administrators of early childhood programs, and family day care homes.

Section 41. Funds received by Department of State from the 1.5 percent of Preservation 2000 and Florida Forever funds for capital improvements and associated costs may be used for construction of replacement museum facilities.

Section 42. Creates a program for matching funds for dredging projects in counties under 300,000 in population.

Section 43. Allows the Legislature to appropriate increased transportation revenues identified by the March 2005 Revenue Estimating Conference for transportation projects. Projects are not deducted from funds transportation districts otherwise receive.

Section 44. Provides one free auto tag to each member of the Florida National Guard who requests one.

Section 45. Governor may recommend Fixed Capital Outlay funded by Federal Emergency Management Act (FEMA).

Sections 46 through 49. Allow transfers from Energy Consumption Trust Fund, State Housing Trust Fund, Department of Community Affairs Grants and Donations Trust Fund, and Florida Communities Trust Fund to the Emergency Management Preparedness and Assistance Trust Fund.

Other Provisions

Section 50. Allows agencies to give \$100 cash awards to satisfactory employees from current funds.

Section 51. Reenacts s. 215.32, F.S., to allow trust fund balances to be swept to the Working Capital Fund or Budget Stabilization Fund.

Section 52. Makes finding of "best interest of the state" for the issuance of debt (bonds) on FY 2005-2006.

Section 53. Allows the Legislative Budget Commission to approve budget amendments from the Working Capital Fund as authorized in the General Appropriations Act.

Standard Provisions

Section 54. Specifies that no section shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 55. Provides for a permanent change made by another law to any of the same statutes amended by this bill to take precedence over the provision in this bill.

Section 56. Provides that the performance measures and standards, filed with the Secretary of the Senate and dated May 3, 2005, are incorporated by reference and will be applied to programs for FY 2005-2006.

Section 57. Provides a severability clause.

Section 58. Provides an effective date.

If approved by the Governor, these provisions take effect July 1, 2005, except as otherwise provided.

Vote: Senate 40-0; House 116-0

CS/SB 2610 — State Financial Matters/Management

by Ways and Means Committee and Senator Carlton

The committee substitute updates the planning and budget processes used by the state. The key issues include:

Agency Budget Requests

- Modifies the legislative budget request process to give agencies more time to analyze needs and make recommendations to the Legislature and Governor.
- Additional information must be addressed in the LBR, including the justification for any new outsourcing or privatization issues and information regarding the impact of past outsourcing and privatization issues.

Governor's Recommended Budget

- The required submission date for the Governor's budget recommendations is delayed by 15 days (30 days before Session).
- The Governor will be required to modify the budget recommendations if the official estimate of revenues is not sufficient to fund the recommendations.
- If the Legislature does not certify its needs to the Governor in a timely fashion, the Governor must use the current year's appropriation levels for the Governor's budget recommendations.

- The Governor is permitted to submit independent recommendations on the judicial branch budget.

Judicial Branch

- The judicial branch is required to submit certain budget amendments to the LBC for approval — this is similar to the treatment afforded the executive branch.

General Planning Process

- The Child Welfare System and Juvenile Justice Estimating Conferences are deleted.
- The requirement to complete fiscal impact statements before taking final action that will affect revenues or appropriations is expanded to actions by the Governor, all agencies and statutorily-created entities.

General Budgeting Process

- The salary rate control process is modified to establish rate control at the department level as specified in the general appropriations act. Agencies may request additional rate with the approval of the Legislative Budget Commission.
- Additional budget flexibility is granted to agencies by increasing the agency's 5% transfer threshold from \$150,000 to \$250,000. Other transfer authority is clarified and consolidated into a single statute.
- The certifications forward process is modified, effective July 1, 2006, to allow only type A's (expended but not disbursed) to be certified forward. If the funds are not paid by September 30, the appropriations revert.

Other Issues

- The functions related to the Florida Single Audit Act are transferred from the Executive Office of the Governor to the Chief Financial Officer.
- The bill eliminates references to the Working Capital Fund.
- Relating to budget deficits, the bill modifies the criteria to be considered when the state is faced with a deficit in the General Revenue Fund. The bill clarifies that the Legislative Budget Commission is involved in the process rather than the Administration Commission; and allows the presiding officers of the Legislature to certify a deficit if the Governor doesn't.

If approved by the Governor, these provisions take effect upon becoming law, except as otherwise provided.

Vote: Senate 39-0; House 118-0