

FISCAL YEAR 2006-2007 GENERAL APPROPRIATIONS

HB 5001 — General Appropriations Act

by Fiscal Council and Rep. Negron (SB 2700 by Ways and Means Committee)

The general appropriations act provides moneys for the annual period beginning July 1, 2006 and ending June 30, 2007. The general appropriations act for FY 2006-2007 totals \$71,326, 284,400.

Education

The operating portion of the education budget appropriates \$19.1 billion. This is a 6.9 percent increase over current appropriations. General revenue spending of \$14.1 billion in this portion of the budget is 5.5 percent higher than the current year. The budget includes:

- An increase of \$1.8 billion (10.8 percent) for the FEFP (excludes \$237 million provided for FRS increase). This increase:
 - Includes \$644 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 \$542.21, or 8.68 percent in funds per student.
 - Provides enrollment growth funding for 50,536 new students in public schools.
 - Provides \$128.2 million to supplement local funds so that every district is guaranteed at least the statewide average level of funding per student realized from the discretionary .51 mill operating levy within the FEFP.
 - Provides \$45 million for the Teachers Lead Program, allocating \$250 to each teacher to purchase classroom supplies.
 - Provides a \$22.8 million or 25.6 percent increase in the Reading Instruction Allocation.
 - Provides \$147.5 million for performance pay for teachers.
- An increase of \$89.6 million (8.3 percent) in state support for our community college system. (excludes \$15.7 million provided for FRS increase). This increase:
 - Includes a \$97.1 million (6.64 percent) increase in operational funds for the colleges and \$39.1 million for challenge grant matching funds. There is no projected enrollment growth.
 - Includes \$1.3 million for continued phase in of community college baccalaureate programs.

- A total of \$346.3 million for the Bright Futures program, an increase of \$34.6 million (11.1 percent). This provides for the tuition increases authorized in the conference report, enrollment growth, and a change in the Bright Futures Program which raises the value of a Florida Medallion Scholarship from 75 percent to 100 percent of tuition and fees for students attending a community college.
- The restoration of \$12.5 million in current year non-recurring funds for Florida Student Assistance Grants and increases funding for this need-based student financial aid program by \$21.7 million (21.9 percent).
- An \$8.6 million increase for the Florida Resident Access Grant (FRAG) program to provide for anticipated enrollment growth and to increase the award level to \$3,000 per student.
- An 8.51 percent increase for state universities, including enrollment growth funding for 7,654 new full-time equivalent students and \$64.2 million for the Major Gifts Program.
- A 10 percent increase to expand need-based aid in our Historically Black Private Colleges and Universities.
- Modest tuition increases of 2.5 percent in community colleges and 3 percent in state universities

Health And Human Services

- Medicaid Price Level and Workload - \$469.9 million - Provides increased funds for Medicaid workload because of changes in caseloads and utilization of services and 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 2006-07 is projected to be 2.3 million people.
- Restore Adult Vision Services – \$9.6 million - Medicaid recipients above 21 years of age will now be able to access vision services and obtain eyeglasses.
- Restore Adult Hearing – \$2.2 million - Medicaid recipients above 21 years of age will now be able to access hearing aids and hearing aid services.
- Adult Partial Dentures – \$7.0 million - Provides funding for adult Medicaid recipients to obtain partial dentures and the services required to seat dentures.
- Nursing Home Staffing Ratio Increase – (\$42.3) million - Revised the nursing home staffing ratio to an average of 2.9 hours of direct care per patient per day measured on a weekly basis. Includes a minimum daily staffing requirement of 2.7 hours of direct care per patient per day.

- Restore Prior Year Nursing Home Rate Reductions – \$25.8 million - Restores the nursing home reimbursement rate reductions that were taken during FY 2005-06.
- Nursing Home Rate Increase - \$65.5 million - Adjusts the nursing home reimbursement methodology to remove or adjust certain limitations currently affecting reimbursement to nursing home providers.
- Medicare Coinsurance Assistance - \$3.7 million - Provides funds for assistance with Medicare Part – B prescription coinsurances and deductibles for former Medically Needy recipients who are diagnosed with cancer or have received organ transplants.
- Hospital Fixed Cost Reimbursement Increase - \$10.9 million – Provides funds to adjust the fixed cost reimbursement component in hospital inpatient reimbursement rates from 80 to 85 percent of Medicaid fixed cost.
- Hospital Reimbursement Ceiling Exemption - \$15.7 million - Provides non-recurring funds to eliminate 50 percent of the hospital inpatient and outpatient Medicaid reimbursement ceilings for the following hospitals: Coral Gables, Manatee Memorial, Palm Springs General, Kendall Regional Medical Center, Florida Hospital – Walker, South Florida Baptist Hospital and Naples Community Hospital.
- Jackson Memorial Hospital Reimbursement - \$20.0 million - Provides non-recurring funds to restore the reimbursement rate reduction from FY 2005-2006 for Jackson Memorial Hospital.
- Health Maintenance Organizations - \$34.7 million - Provides funds to increase the managed care capitated discount factor by 1.75 percent for Medicaid prepaid health plans.
- Infrastructure Deficiencies - \$77.0 million - Provides general revenue funds to replace non-recurring funds used to fund recurring programs and to fund deficits in the following areas:
 - Alcohol Drug Abuse and Mental Health Block Grant - \$1.4 million
 - Psychotropic Drugs in state mental health institutions - \$5.5 million
 - Electronic Benefit Transfer (EBT) - \$3.5 million
 - Trust fund shortfall in various programs - \$34.6 million
 - TANF Block Grant - \$20.6 million
 - Mental Health services - \$5.0 million
 - Independent Living Program - \$1.1 million
 - Child Welfare Services - \$5.3 million
- Independent Living - \$5.1 million - Increases services available to children aging out of foster care. Increased services include pre-independent living and life skills services to the 13 to 17 year old population as well as scholarships, transition and aftercare and subsidies to the 18 to 23 year old population.

- Adoption Subsidies - \$2.3 million - Increases funding for maintenance adoption subsidies for an additional 1,578 hard-to-place children who would linger in costly foster care arrangements for long periods of time if not adopted.
- Foster Care Board Rate Increase - \$6.5 million - Provides funding for a board rate increase of \$2 per child per day.
- Community-Based Care Equity - \$20.0 million - Provides additional funding to achieve a more equitable distribution of child protection resources among community based care lead agencies. This increase raises the seven agencies below the statewide average up to a funding level of \$9,822.
- Mental Health Equity - \$10.0 million - Provides additional funding to achieve a more equitable distribution of mental health resources among service providers.
- Substance Abuse Equity - \$11.8 million - Provides funding to serve 3,390 additional adults and 637 additional children. The allocation of this increase will achieve a more equitable funding distribution among substance abuse providers.
- Local Services Programs - \$3.7 million - Restores funds to continue funding for recurring community care for the elderly programs to assist elders in maintaining their independence.
- Aging Resource Centers - \$3.0 million - Provides non-recurring funds to complete statewide implementation of Aging Resource Centers that provide a single point of access for long-term care services.
- Assisted Living Facility Rate Increase - \$4.0 million - Provides for an increase in provider rates for the Assisted Living for the Elderly home and community-based waiver.
- Serve Additional Clients - \$24.3 million - Provides funding to serve additional clients from the developmental services waitlist or who are in crisis for home and community-based waiver services.
- Cost of Living Rate Increase - \$21.7 million - Provides a 3 percent cost of living rate increase to all home and community-based waiver developmental services providers except support coordinators.
- Support Coordinator Rate Increase - \$4.9 million - Provides a 7.5 percent rate increase for support coordinators that provide services under the home and community-based waivers.
- Maintenance and Repair - \$8.1 million - Provides funds for maintenance and repair of state owned developmental service buildings.
- Capital Improvement Plan for County Health Departments - \$21.1 million - Provides funds for county health department buildings in Charlotte, Palm Beach, Dade, Broward, Volusia, and Bay counties.

- Capital Improvement Plan for Children’s Medical Services Buildings - \$5.9 million - Provides funds for CMS buildings in Brevard, Alachua, West Palm Beach, and Ft. Pierce.
- Capital Improvement Plan - \$4.7 million - Provides funds for maintenance and repair of state owned buildings.
- Healthy Start - \$11.1 million - Provides funds for the statewide Healthy Start coalitions. This appropriation includes approximately \$4.5 million of federal Medicaid Title XIX matching funds.
- Area Health Education Centers - \$7.0 million - Provides funds to restore recurring area health education center programs funded with non-recurring funds.
- Restore TANF - \$8.9 million - Provides funds to restore recurring programs funded with non-recurring funds.
- Tobacco Use - \$5.0 million - Provides funds for tobacco education programs to help reduce youth tobacco use.
- Early Steps - \$5.0 million - Provides funds for the Early Steps Program that provides services to infants and toddlers from birth to 3 years who have developmental delays or disabilities, and their families.
- Rural Hospitals - \$3.0 million - Provides funds for the rural hospital capital improvement grant program.
- Sixth Nursing Home - \$17.2 million - Provides funds for the construction of a sixth 120-bed veterans’ nursing home in St. Johns County.
- Capital Improvement Plan - \$3.1 million - Provides funds to complete the second phase of the Jenkins, Jr. Veteran's Domiciliary Home renovation project which is the oldest state veterans’ facility, and is located in Lake City.

Justice

- Provides \$18.4 million for the increase in the prison population as forecasted by the Criminal Justice Estimating Conference.
- Provides \$71.5 million in general revenue and \$3 million in trust fund to complete the construction of the Wakulla annex that has 2,022 beds and Lowell female work camp with 262 beds.
- Provides \$47.4 million in general revenue for general fixed capital outlay repairs and maintenance of facilities in the Department of Corrections and Department of Juvenile Justice.
- Provides \$4.7 million to continue funding the Integrated Criminal History System in the Department of Law Enforcement.

- Provides \$5.3 million for grant funding to small counties for detention services in the Department of Juvenile Justice.
- Provides \$2 million to increase mental health services in the Department of Corrections.
- Provides \$21 million to fund a price level increase for private providers in the Department of Juvenile Justice.
- Addresses deferred maintenance in the Supreme Court building with \$14.5 million.
- Provides \$7.75 million for repairs and renovations for 26 small county court houses.
- Provides \$8 million for the Guardian Ad-Litem program to serve an additional 8,000 children.
- Provides \$14.25 million to State Attorneys and Public Defenders for increased workload.

General Government Appropriations

- Beach Restoration - \$65 million to restore and protect the state's beaches on both the Gulf and Atlantic coasts. The state funding is matched with \$137.5 million in federal and local funds.
- Water Projects - \$360.7 million for statewide water restoration and wastewater projects. This includes \$215 million for water projects that restore and protect our lakes, rivers, bays and lagoons; provides assistance to disadvantaged communities for wastewater needs; \$20 million for wastewater projects in the Florida Keys; \$25 million for the restoration of Lake Okeechobee; and \$100 million for the Water Protection and Sustainability program.
- Florida Forever - \$300 million cash for land acquisition and conservation of our unique natural resources.
- Everglades Restoration - \$135 million cash for the Comprehensive Everglades Restoration Plan (CERP).
- Drinking and 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.
- Red Tide - \$3 million additional funds for implementing strategies for control of the Florida red tide and the impacts on our natural resources and economy.
- Florida Recreational Development Assistance Program (FRDAP) - \$30.3 million for grants to local governments for constructing baseball fields, bike paths, and playgrounds for public outdoor recreation.

- Mulberry/Piney Point Phosphate Clean-up - \$19 million to continue cleanup efforts of the contaminated phosphate sites.
- Land Reclamation - \$4 million for the Non-mandatory Land Reclamation Program for eligible phosphate lands mined before July 1975.
- Lake Restoration - \$14.5 million for lake restoration and multi-year projects that include Lake Panasoffkee, Lake Trafford, Lake Jackson, and management of the over 3 million acres of lakes in Florida.
- Firefighting Equipment - \$11.4 million for forest fire equipment and protection of state forests to increase the safety of firefighters and the public.
- Agricultural Promotion Campaign “Fresh from Florida” - \$3.5 million provided for marketing agricultural commodities. This program campaigns in 22 northeastern states as well as Canada.
- Florida Agriculture Worker Safety Act - \$685,864 and 10 additional inspectors to regulate the use of pesticides on agricultural sites.
- Hotels and Restaurant Inspections – \$1.2 million and 12 additional inspectors and motor vehicle replacement for improving the safety of hotels and restaurants.
- Unlicensed Realtors - \$348,950 and 5 positions for regulating unlicensed realtors to address additional workload.
- Elevator Safety - \$107,760 and 2 positions for regulating and monitoring elevators to ensure elevator safety for the public.
- Examination of Mortgage Brokers and Financial Institutions - \$1 million and 20 additional positions for addressing the industry growth, and \$5 million for the Licensing Enforcement System.
- Insurance Regulation - \$433,175 and 6 additional positions to address workload needs in casualty and property insurance and \$1.9 million for the rate data collection and management system.
- Public Hurricane Model - \$877,872 for the model to evaluate homeowners’ insurance rates.
- Workers’ Compensation Claims - \$418,634 and 5 additional positions including one judge for the Office of the Judges of Compensation Claims to address an increase in workload.
- ASPIRE - \$8.7 million to continue replacement of the state’s financial accounting system and \$.6 million to study the feasibility of integrating the state’s accounting, purchasing, and HR systems.

- CAMS - \$20 million for continuing the implementation of a new automated Child Support Management System (CAMS).

Transportation And Economic Development Appropriations

- Historic Preservation Fixed Capital Outlay Grants - \$14.1 million to fund 49 of the recommended projects.
- Historic Museum and Historic Preservation Operating Grants - \$3.75 million.
- Cultural Facilities Fixed Capital Outlay Grants - \$14.5 million to fund all 36 eligible projects.
- Arts and Cultural Program Operating Grants (nine separate grant programs) - \$11.8 million.
- Library Construction Grants - \$7.2 million to fund 15 of the 19 requested grants (funded one per county or municipality that requested projects).
- Cultural Endowment Grants - \$4.6 million to fund 20 of the 32 requested grants.
- Elections programs - \$5.6 million provided.
- Hurricane Shelters and Emergency Operations Centers funded with \$25.3 million.
- \$7 million for the Residential Construction Mitigation program and \$8.2 million for the Pre-disaster Mitigation Program.
- \$1.05 billion in hurricane-related recovery funds.
- \$514 million for Housing Programs, including:
 - State affordable housing program - \$70.5 million;
 - Local affordable housing program (SHIP) - \$172.5 million. [\$70.5 State + \$172.5 Local = \$243m]
 - Rental Recovery Loan Program - \$92.9
 - Affordable housing for communities impacted by hurricanes - \$82.9 million
 - Community Workforce Housing Innovation Pilot Program - \$50 million.
 - Housing for the extremely-low-income persons - \$30 million.
 - Farmworker Housing Recovery Program - \$15 million.
- Small Cities Community Developmental Block Grants - \$35 million.
- Low Income Home Energy Assistance Program - \$19.2 million.
- Weatherization Grants for Low Income Persons - \$11.2 million.
- Florida Communities Trust Program - \$66 million.

- Front Porch Florida - \$3.3 million.
- Department of Transportation Work Program Total - \$8.2 billion.
- Small County Resurfacing Assistance Program (SCRAP) - \$25 million.
- Small County Outreach Program - \$45.4 million.
- County Incentive Grant Program - \$46.5 million.
- Economic Incentives Programs - \$28.8 million for the QTI, QDC, Brownfields, and other economic development programs.
- \$12.5 million for Enterprise Florida.
- \$24.7 million for Visit Florida.
- Film and Entertainment Industry Incentives funded with \$20.7 million.
- Rural Infrastructure Grants funded with \$2.7 million.
- \$7.4 million provided for Military Base Protection and Defense Related Grants.
- \$15.3 million funded for Economic Development Transportation Projects.
- Ready-to-Work initiative funded with \$4 million.
- Workforce Cluster Centers initiative funded with \$4 million.
- Florida Rebuilds initiative funded with \$12 million.
- Non-Custodial Parent Program continued with \$1.5 million.
- Provides \$10.5 million recurring general revenue funds to continue school readiness programs that were funded with non-recurring trust funds last year.
- Incumbent Worker Training Program expanded from \$2 million to \$3.7 million.
- HIPPY programs funded with \$1.4 million.
- Workforce Services targeting persons with disabilities funded with \$1 million.
- National Guard Readiness Centers Revitalization Plan (armory repairs and renovations) - \$23.6 million.
- Payment of Life Insurance Premiums for National Guard Members - \$2.3 million.
- Family Readiness emergency funds provided - \$5 million reappropriated to assist military families with emergencies or hardship situations.
- Expands the About Face program from \$3 million to \$3.3 million.
- Florida Highway Patrol:

- Trooper Overtime Pay - \$1.5 million;
- Additional Equipment - \$1.6 million; and
- Replacement of Vehicles - \$4.4 million.
- Repairs and Maintenance - \$4.9 million.
- New Florida Highway Patrol Station – Pinellas Park - \$2.2 million.

Employee Compensation

- A 3 percent across-the-board pay increase for state employees, including university personnel, effective October 1, 2006.
- The overall health insurance premiums will be increased 8 percent. However, the employing agency will pay the full amount of the increase.
- The standard and high deductible health plans are continued with the current level of benefits remaining in place.
- Co-payments and other out-of-pocket expenses are maintained at the current levels.
- Performance Path to Excellence for child protective investigators – \$669,082
- Performance Path to Excellence for abuse registry employees – \$669,315
- Pay Adjustment for adult protective investigators – \$1,397,000
- Retention and Recruitment pay for professional accountants employed by the Department of Financial Services and the Department of Agriculture and Consumer Services – \$459,000
- Competitive pay adjustments of 5 percent for certain employees of the Department of Juvenile Justice – \$4.65 million
- Special Agents Sworn Recruitment and Retention Plan – \$384,810
- Competitive pay adjustments of 5 percent for the Florida State Fire Service Association and the Department of Agriculture and Consumer Services forestry management staff – \$1.08 million
- Competitive pay adjustments of \$5000 for insurance fraud investigators – \$600,000
- *Compression issues* -- Security service personnel with between 5 and 6 years of service will receive a 2 percent adjustment to their base rate of pay. Security service personnel with 10 years or more of service will receive a 3 percent adjustment.
- The Capitol Police Compression Pay Plan was funded. This allowed officers to receive graduated increases based on years of service.

- Equity pay for employees of the Florida School for the Deaf and Blind – \$1.06 million
- Equity pay for employees of the Department of Environmental Protection working in the Coastal and Aquatic Managed Areas – \$196,187
- Performance pay for the employees of the Department of Law Enforcement who exceed performance standards – \$158,000

If approved by the Governor, these provisions take effect July 1, 2006, or upon becoming law, whichever occurs later, except as otherwise provided.

Vote: Senate 39-0; House 119-0

FISCAL YEAR 2006-2007 GENERAL APPROPRIATIONS IMPLEMENTING AND CONFORMING LEGISLATION

HB 5003 — Appropriations Implementing Bill

by Fiscal Council and Rep. Negron (SB 2702 by Ways and Means Committee)

This is the implementing bill for the FY 2006-2007 General Appropriations Act. It makes one-year changes to substantive laws in order to prevent conflicts between the statutes and the budget so the Legislature's budget decisions can be fully implemented. The bill has 46 substantive sections, of which 19 repeat provisions from the implementing bill for the FY 2005-2006 General Appropriations Act. The bill adopts the Performance Based Budget (PB²) measures for 30 executive branch agencies and the judicial branch. It also adopts the Florida Education Finance Program (FEFP) calculations used to produce the public school budget.

Section 1. Provides legislative intent.

Section 2. FEFP calculations are incorporated by reference and are the basis for calculations pursuant to s. 1011.65, F.S.

Section 3. Adopts a performance pay plan for school district instructional personnel as described in proviso language attached to Specific Appropriation 91, and suspends the effectiveness-compensation plan, known as E-COMP, which was established pursuant to a rule adopted by the State Board of Education.

Section 4. Provides that the Department of Children and Family Services may enter into a contract to finance, design, and construct a secure facility for sexually violent predators. The secure facility shall have at least 600 beds and the contractor shall operate all aspects of daily operations within the secure facility. The contractor may sponsor the issuance of tax-exempt certificates of participation or other securities to finance the project, and the state may enter into a lease-purchase agreement for the secure facility.

Section 5. Provides that the Department of Health may not use any portion of the annual appropriation for administering and evaluating the area health education center network. Current law allows the department to use no more than 5 percent of the annual appropriation for this purpose.

Section 6. The Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist a county or municipality with the local costs necessary for the department to open or operate a facility, not to exceed 1 percent.

Section 7. Allows the Executive Office of the Governor to request additional positions during FY 2006-2007 for the Department of Corrections if the Criminal Justice Estimating Conference (CJEC) projects a certain increase in the inmate population.

Section 8. Authorizes the Governor or the Chief Justice of the Supreme Court to submit a budget amendment, in accordance with ss. 29.015 and 29.016, F.S., for consideration by the Legislative Budget Commission to authorize the expenditure of funds from unallocated general revenue to offset deficiencies projected by the Justice Administration Commission or the state courts in any specific appropriation provided for due process services.

Section 9. Authorizes the Department of Legal Affairs to spend funds from two appropriations on the same programs funded in the prior years.

Section 10. Increases the maximum annual budget for the Clerk of the Circuit Court, Hillsborough County.

Section 11. Allows, for FY 2006-2007 only, a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

Section 12. Allows the Executive Office of the Governor to transfer funds appropriated for the payment of risk management insurance premiums between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of s. 216.177, F.S.

Section 13. Allows the Executive Office of the Governor to transfer funds appropriated for the payment of the statewide human resource management services contract between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of s. 216.177, F.S.

Section 14. Removes the Class C (day trips, not overnight) travel reimbursement for state travelers.

Sections 15-16. Authorizes the use of state aircraft for commuting.

Section 17. Provides additional funding mechanisms to Florida Workers' Compensation Joint Underwriting Association (JUA) to cover deficits attributable to subplan D and Tiers One and Two by requiring the use of its surplus funds in subplan C prior to requesting transfer of funds from the state or assessing policyholders in the voluntary market. Establishes a contingency reserve for the JUA to request transfer of state funds to cover projected cash needs for 6 months.

Requires the JUA, by January 1, 2007, to request tax-exempt status of the Internal Revenue Service in order to avoid significant future federal tax liabilities, and revises the board appointment process to put the membership under state control and support the tax-exempt status. Additionally, upon dissolution of the JUA, requires all assets to be first used to pay all debts and obligations of the plan, and any remaining assets to become property of the state and deposited in the Workers' Compensation Administration Trust Fund.

Section 18. Establishes the Office of Information Security (office) within the Department of Management Services (DMS), and provides that the Chief Information Security Officer is the head of the office. Requires a strategic plan for information technology security to be submitted by March 1, 2007, to the Executive Office of the Governor, President of the Senate, and the Speaker of the House of Representatives. Assigns and clarifies certain information technology security responsibilities for the DMS and state agencies.

Sections 19-21. Requires the Department of Management Services to: (1) provide an annual report of leases due to expire within 24 months and the financial impact of terms in new leases that have been amended, supplemented or waived; (2) promulgate rules for private leases that require inclusion of non-appropriation clause and six month notice clause for movement into state owned space; (3) evaluate whether amending, supplementing or waiving a lease clause is in the state's long term best interest prior to execution of the lease; (4) provide a five-year plan for state owned buildings; (5) notice and submit a cost-benefit analysis to the Governor, Legislature and State Board of Administration when recommending the disposition of buildings in the Florida Facilities Pool.

Section 22. Requires the Fish and Wildlife Conservation Commission to waive stone crab trap tag fees in FY 2006-2007.

Section 23. Requires the Fish and Wildlife Conservation Commission to waive spiny lobster trap tag fees in FY 2006-2007.

Section 24. Requires the Department of Environmental Protection to award \$6.5 million in solid waste management grants in equal amounts to small counties, and \$1.6 million in competitive innovative grants to certain cities and counties already identified by the department to the Legislature.

Section 25. Directs the Department of Environmental Protection to conduct a pilot program for expedited site evaluation and cleanup of a port facility and an airport facility that each have high redevelopment potential and that serve an immediate and demonstrated public purpose. Includes specific criteria for site selection and defines the focus of the pilot program.

Section 26. Creates the Caloosahatchee-St. Lucie Rivers Corridor Advisory Council. The council shall review the operation and management of Lake Okeechobee and the associated discharges from the lake for the purpose of formulating specific recommendations. The council shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2007, a report with specific recommendations for implementation by the Legislature and the Governor that will mitigate ecological effects upon the Caloosahatchee-St. Lucie Rivers Corridor and stabilize the effect of high discharges from Lake Okeechobee upon the tourist economy of Southwest and Southeast Florida.

Section 27. Creates the Fuel Distributors Emergency Power Assistance Grant Program within the Department of Community Affairs to provide assistance to fuel distributors in retrofitting their facilities to accommodate portable generators in preparation for major power outages.

Section 28. Authorizes moneys in the General Inspection Trust Fund to be appropriated for specific programs operated by the Department of Agriculture and Consumer Services.

Section 29. Increases President of the Senate and Speaker of the House of Representatives discretionary funds by \$10,000, to \$20,000 each.

Section 30. Authorizes transfer of moneys from the Land Acquisition Trust Fund to Florida Forever Trust Fund and to the Save Our Everglades Trust Fund (related to Florida Forever, Babcock Ranch and Save Our Everglades).

Section 31. Authorizes transfer of Conservation and Recreation Lands Trust Fund moneys to the Florida Forever Trust (related to Babcock Ranch).

Section 32. Authorizes transfer of Water Management Lands Trust Fund moneys to the Florida Forever Trust Fund (related to Babcock Ranch).

Section 33. Authorizes a match exception for the Northwest Florida and the Suwannee River Water Management Districts for Surface Water Management and Improvement (SWIM) grants.

Section 34. Provides eligibility and match requirements for stormwater, wastewater and water restoration grants. Match requirements are waived for financially disadvantaged small local governments.

Section 35. Allows 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.

Section 36. Authorizes an exchange of real property between the Department of Highway Safety and Motor Vehicles and Palm Beach Gardens.

Section 37. Allows 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 38. Authorizes the Governor to recommend the initiation of fixed capital outlay projects funded by grants awarded by the Federal Emergency Management Agency for FEMA Disaster Declarations.

Section 39. Reduces the match requirements for dredging projects in small counties (population under 300,000) from 50 percent to at least 25 percent.

Sections 40-41. Requires the Agency for Workforce Innovation to recommend a formula to allocate school readiness funds and provide for changes in the allocation of funds to be specified in the General Appropriations Act.

Section 42. Allows the use of the 1.5 percent of total funds deposited into the Florida Preservation 2000 Trust Fund and Florida Forever Trust Fund that have been allocated to the Department of State for capital improvements and associated costs to also be used for construction of replacement museum facilities.

Section 43. Allows the funds in the Emergency Management, Preparedness, and Assistance Trust Fund, which are otherwise unobligated, to be authorized for expenditure for the purpose of providing assistance to local governments for implementing local comprehensive plans, innovating planning to help make communities more livable and addressing growth management issues.

Sections 44-47. Housing.

Section 44. Provides a definition of “extremely-low-income persons” to be used in allocating funding provided for the affordable housing initiative for extremely low income persons. Such a person is defined as a person or family whose annual household income does not exceed 30 percent of median annual adjusted gross income for households within the state. Florida Housing Finance Corporation is authorized to adjust this amount annually by rule to provide that in lower income counties the extremely low income may exceed 30 percent of AMI and that in higher income counties extremely low income may be less than 30 percent of AMI.

Section 45. Modifies the operation of certain programs administered by Florida Housing Finance Corporation. With regard to the State Apartment Incentive Loan (SAIL) program, it amends this section of statute to allow loans in excess of 25 percent of project cost and to allow forgiveness of loans, both contingent on provision of units for extremely low income (ELI) families. These changes will allow the Florida Housing Finance Corporation to better address the needs of persons who have the lowest incomes.

Section 46. Modifies the State Apartment Incentive Loan program. Provides an additional exemption to the amount of mortgages allowable for affordable housing projects for those projects that reserve units for extremely-low-income persons. Provides exemptions to criteria for the competitive ranking of applications for the State Apartment Incentive Loan Program for projects providing units for extremely-low-income persons. Provides additional exemptions to the prohibition of rent controls for projects providing units for extremely-low-income persons.

Section 47. Creates the Community Workforce Housing Innovation Pilot Program (CWHIPP) for the purpose of providing affordable rental and home ownership community workforce housing for essential services personnel with medium incomes in high-cost and high-growth counties. The program is designed to use regulatory incentives and state and local funds to promote local public-private partnerships and to leverage government and private sources.

Section 48. Authorizes the Florida Housing Finance Corporation to provide funds to areas in the state that had hurricane damage in 2004 and 2005. Provides for administration of funds and emergency rules.

Section 49. Allows agencies to use funds for cash awards to state employees who demonstrate satisfactory service in the agency or to the state, in appreciation and recognition of such service. Awards may not exceed \$100 each and will be allocated from an agency's existing budget. By March 1, 2007, agencies that elect to make cash awards will report to the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives the dollar value and number of such awards given. If available, any additional information concerning employee satisfaction and feedback should be provided.

Section 50. Makes technical corrections to errors in the conference report on the 2006-2007 General Appropriations Act, including correcting references to Specific Appropriation numbers, correcting informational descriptions of the reductions taken for Specific Appropriations, correcting a reference to recurring and non-recurring portions of a Specific Appropriation, correcting the reference to a city (where another city had incorrectly been referenced twice), and correcting a reference to 2004 Laws of Florida.

Section 51. Makes finding of "best interest of the state" for the issuance of debt (bonds) in FY 2006-2007.

Section 52. Specifies that no section shall take effect if the appropriations and proviso to which it relates are vetoed.

Section 53. 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 54. Provides that the performance measures and standards, filed with the Clerk of the House of Representatives are incorporated by reference and will be applied to programs for the FY 2006-2007.

Section 55. Provides a severability clause.

Section 56. Provides an effective date.

If approved by the Governor, these provisions take effect July 1, 2006, or upon becoming law, except as otherwise provided.

Vote: Senate 39-0; House 115-0

HB 5005 — Education Funding

by Fiscal Council and Rep. Pickens and others

The bill provides statutory changes to conform to the FY 2006-2007 General Appropriations Act. Specifically, the bill:

- Amends s. 551.106 (2), F.S., to provide that slot machine revenues deposited into the Education Enhancement Trust Fund may be used to cover debt service payments on lottery bonds issued to fund school construction.
- Amends s. 1001.451 (2)(a), F.S., to provide autonomy for the boards of directors of regional education consortia over incentive grants received pursuant to s. 1001.451(2)(a), F.S., and requires timely distribution of grant funds to the regional consortiums by the Department of Education.
- Amends s. 1002.71 (3), F.S., to provide that funding allocations to school districts for the voluntary prekindergarten (VPK) summer program shall be based on increments of 10 students.
- Amends s. 1009.535 (2), F.S., to provide that Florida Medallion Scholars Bright Futures Scholarship awards shall be equal to 100% of tuition and required fees for eligible students enrolled in community college associate degree programs.
- Creates s. 1010.62, F.S., enacting policies recommended by the Board of Governors for the issuance of debt by state universities and affiliated direct support organizations.

- Amends Florida Education Finance Program (FEFP) provisions in s. 1011.62, F.S., to provide:
 - that Group 2 FTE over the cap shall be funded at a weight of one;
 - that juveniles placed in secure detention facilities pursuant to s. 985.223, F.S., (juveniles incompetent to proceed) may be reported for funding in excess of 180 days;
 - that middle school students who complete high school algebra and earn a letter grade of “C” or higher shall be funded at the high school weight for the course;
 - that the value of a Florida Virtual School FTE student shall be increased by the weight of 0.114 for funding purposes;
 - to clarify the procedure for establishing the final tax roll for school funding purposes; and
 - to establish a statutory process for calculating a compression supplement for nonvoted current operating discretionary millage authorized in the General Appropriations Act.
- Amends s. 1011.71, F.S., to delete statutory limitations on the level of nonvoted current operating discretionary millage the Legislature may prescribe annually in the General Appropriations Act.
- Amends s. 1013.62, F.S., to revise the statutory formula for the allocation of capital outlay funds appropriated for charter schools.
- Amends s. 1013.64, F.S., to provide that High Growth District Capital Outlay Assistance Grant funds provided pursuant to s. 1013.736, F.S., are subject to statutory cost limitations per student station, and to revise the statutory cost limitations per student station.
- Corrects cross references.
- Repeals ss. 1010.60 through 1010.619, F.S., relating to the authority of the State Board of Education regarding the issuance of revenue bonds for state universities.
- Repeals s. 1012.74, F.S., relating to Florida educators professional liability insurance protection.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 118-0

HB 5007 — Health Care

by Fiscal Council and Rep. Bean (CS/SB 390 by Health and Human Services Appropriations Committee and Senators Saunders and Wilson)

The bill provides statutory changes necessary to conform to the General Appropriations Act (GAA) for FY 2006-2007. Specifically, the bill:

- Amends s. 391.026(16), F.S., to authorize the Department of Health to contract with a third party administrator to process claims for the Children's Medical Service (CMS) network. Authorizes a minimum reserve for the Children's Medical Services network in an amount that is the greater of 10 percent of total projected expenditures or 2 percent of total annualized payments from the Agency for Health Care Administration for Title XIX (Medicaid) and Title XXI (KidCare) funded children.
- Amends s. 400.141(15)(e), F.S., to make a technical change to correct a statutory reference requiring nursing facilities to comply with minimum nursing home staffing requirements.
- Amends s. 400.179(5)(d), F.S., to reduce the non-refundable fee for a bond that a nursing home facility pays upon a change of ownership during initial licensure or license renewal from 2 percent of 3 months Medicaid payments to 1 percent of 3 months Medicaid payments.
- Amends s. 400.23, F.S., to require a nursing home to maintain a weekly average of 2.9 hours of direct care per patient per day, beginning January 1, 2007. Defines a week as Sunday through Saturday. Increases the minimum daily staffing requirement from 2.6 to 2.7 hours of direct care per patient per day on January 1, 2007.
- Amends s. 409.811(11), s. 409.8134(1) and (2), s. 409.814(5)(d) and s. 409.818, F.S., to delete references to enrollment ceilings in the KidCare program and requires enrollment to cease when the expenditure ceiling is reached.
- Repeals s. 409.8201, F.S., to delete a requirement related to the enrollment ceiling for the non-Medicaid portion of the KidCare program.
- Amends s. 409.904(5), F.S., to clarify that certain women with family incomes at or below 185% of the federal poverty level are eligible for family planning services for up to two years following a loss of Medicaid benefits.
- Amends s. 409.905(5)(d), F.S., to require the Agency for Health Care Administration (Agency) to establish a Medicaid hospitalist program in non-teaching hospitals. Authorizes the agency to procure hospitalist services by individual or multiple counties in a single procurement. Requires the qualified organization to contract with or employ board-eligible physicians in Miami-Dade, Palm Beach, Hillsborough, Pasco and Pinellas Counties.

- Amends s. 409.906, F.S., to provide Medicaid coverage for full and partial dentures and restores Medicaid coverage for adult hearing and vision services.
- Amends s. 409.907(9)(a), F.S., to require that payments of Medicaid claims by providers between the date of receipt of application and the date of approval is contingent on applying the audits and edits within the claims adjudication and payment system.
- Amends s. 409.908, F.S., to provide flexibility to the Agency to adjust nursing home reimbursement cost based class ceilings, target rate class ceilings and provider targets.
- Amends s. 409.9081, F.S., to revise the limitations on co-payments for emergency room services to 5 percent of up to the first \$300 of Medicaid payment, not to exceed \$15. Current co-payment is \$15 for each emergency department visit.
- Amends s. 409.911, F.S., to delete obsolete dates and provisions related to the data used in determining the charity care and Medicaid days for purposes of calculating disproportionate share payments and replaces them with current dates and data used in calculating disproportionate share payments.
- Amends s. 409.9113, F.S., to provide that the funds defined for statutory teaching hospitals be distributed in the same proportion as funds were distributed under the teaching hospital disproportionate share program during FY 2003-2004, and requires the funds for family practice teaching hospitals to be distributed equally.
- Amends s. 409.9117, F.S., to eliminate outdated dates relating to the primary care disproportionate share program and replace them with current dates.
- Amends s. 409.912, F.S., to authorize the Agency to post the preferred drug list and updates to the preferred drug list on an Internet website without following the rulemaking process of chapter 120. Authorizes the Agency to include an adjustment for health status when calculating managed care capitation rates.
- Amends s. 409.9122, F.S., to revise enrollment limits for Medicaid recipients subject to mandatory assignment to managed care who fail to make a choice to sixty-five percent managed care and thirty-five percent MediPass, and changes how the ratio is established to include all those eligible to choose managed care.
- Creates s. 409.9301, F.S., to establish a pharmaceutical assistance program to provide pharmaceutical expense assistance to individuals diagnosed with cancer or individuals who have received organ transplants who were medically needy recipients prior to January 1, 2006.
- Creates s. 430.04(17), F.S., to designate the Department of Elder Affairs as the state agency eligible to receive federal funds and administer a program for adults who are eligible for assistance through the Adult Care Food Program.
- Amends s. 430.705(5), F.S., to provide for certain prospective nursing home diversion participants to be designated “Medicaid Pending” while eligibility is being determined.

Requires the Agency to reimburse the nursing home diversion provider on the first day of the month following the medically eligible determination provided that the recipient has been determined financially eligible. Deletes provisions requiring the Agency to reimburse nursing home providers on a prorated basis for individuals enrolled after the first day of the month.

- Amends s 624.91, F.S., to delete provisions requiring the Florida Healthy Kids Corporation to establish a local match policy for non-Title XXI eligible children and requiring a minimum local match.
- Creates one unnumbered section of law, to require the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review functions of the CARES program and report its findings to the President of the Senate and Speaker of the House of Representatives by February 1, 2007.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 117-0

HB 5009 — Substance Abuse/Mental Health Services

by Fiscal Council and Rep. Bean (CS/SB 398 by Health and Human Services Appropriations Committee and Senator Saunders)

The bill provides statutory changes necessary to conform to the General Appropriations Act for FY 2006-2007. Specifically, the bill:

- Amends s. 394.457, F.S., deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act, and clarifies that Baker Act services are subject to 25 percent local participation.
- Amends s. 394.908, F.S., revising the funding allocation methodology for substance abuse and mental health services to specify that 100 percent of all appropriation increases to these programs shall be distributed based on equity.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 115-0

HB 5011 — Foster Care and Related Services

by Fiscal Council and Rep. Bean and others (CS/SB 398 by Health and Human Services Appropriations Committee and Senator Saunders and CS/CS/SB 1694 by Health and Human Services Appropriations Committee; Children and Families Committee; and Senator Campbell)

Community-Based Care Risk Pool

- Requires the Department of Children and Family Services (DCF) to develop and implement a community-based care risk pool initiative to mitigate the financial risk to community-based care providers.
- Reassigns responsibility for the operation and maintenance of the community-based care risk pool from the Florida Coalition for Children, Inc., to DCF.
- Mandates DCF to develop a protocol for processing applications to access funds from the risk pool.
- Authorizes the DCF Secretary to appoint a peer review committee to review and make recommendations on risk pool applications.

Self Insurance Program

- Authorizes the department to issue an interest-free loan to the Florida Coalition for Children, Inc., to establish a self-insurance program based on certain appropriations.
- Provides for uses, expenditures and terms for repayment of the loan.

Community-Based Care Pilot Program

- Establishes a 3-year pilot program for Community-Based Care (CBC) lead agencies in Miami-Dade, Monroe, and Broward Counties to enhance funding flexibility and expand responsibilities and services.
- Provides for funding the pilot program from a grant from general revenue funds and federal funds.
- Authorizes the department to enter into fixed-price contracts with lead agencies and with CBCs in other parts of the states, funded in 36 equal monthly installments.
- Provides limits on the types of reports required of the lead agencies.
- Specifies that certain types of expenditures by the pilot program CBCs are permissible.
- Requires that annual financial statements regarding the pilot program be provided to the Governor, the department, and the Legislature.

- Requires that fiscal, administrative and programmatic monitoring be conducted by independent non-governmental third-party entities to be selected jointly by the pilot program lead agencies and the department.
- Provides that the annual program and performance evaluation required in s. 409.1671(4) (a), F.S., include an evaluation of the pilot program.
- Provides that the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General shall jointly complete an evaluation of the pilot program and report their findings to the President of the Senate and the Speaker of the House.
- Requires the department to submit a plan to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee and the chair of the House Fiscal Council relating to the most efficient allocation of administrative funds to the department and the pilot program lead agencies.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 118-0

HB 5013 — Client Services Fee Collections

by Fiscal Council and Rep. Bean (CS/SB 398 by Health and Human Services Appropriations Committee and Senator Saunders)

The bill repeals s. 402.33(7), F.S., removing current restrictions on the use of certain fees collected by the Department of Children and Family Services and the Department of Health in excess of the appropriations.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 118-0

HB 5017 — Corrections

by Fiscal Council and Rep. Barreiro

The bill amends provisions in the Florida Statutes relating to corrections to conform to funding provisions in the FY 2006-2007 General Appropriations Act. Specifically, the bill:

- Abolishes the Florida Corrections Commission.
- Revises the membership of the Prison Per-Diem Workgroup.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 119-0

HB 5019 — Martin Lee Anderson Act of 2006

by Fiscal Council and Rep. Barreiro and others

This bill relates to boot camp funding and amends provisions in Florida Statutes to conform to the funding provisions in the FY 2006-2007 General Appropriations Act.

- Titles the bill as the “Martin Lee Anderson Act of 2006.”
- Amends s. 39.01, F.S., allowing the Department of Children and Family Services’ Protective Services to have investigative jurisdiction over law enforcement officers employed in programs that are operated or contracted by the Department of Juvenile Justice (DJJ).
- Amends s. 985.2155, F.S., shared county and state responsibility for juvenile detention - deletes the designation as a rural area of critical economic concern provision in s. 288.0656, F.S., and increases the value of a mill in the county from \$3 to \$5 million.
- Amends s. 985.231, F.S., powers of disposition in delinquency cases – a technical change that deletes boot camp and replaces with sheriff’s training and respect program.
- Repeals s. 985.309, F.S., creating juvenile boot camps.
- Creates s. 985.3091, F.S., establishes sheriff’s training and respect programs (STAR) in lieu of juvenile boot camps and the policies and procedures for operating such programs. Allows non-sheriff local law enforcement entities to operate STAR programs, for example, Miami-Dade County. Children ages 14 through 17 are eligible for the program if they have been committed to the Department of Juvenile Justice (DJJ) for any offense that, if committed by an adult, would be a felony other than a capital felony, life felony, or violent felony of the first degree (same as currently required for boot camps).
 - A child must be physically examined by a physician licensed under ch. 458 or ch. 459, F.S., or an advanced registered nurse practitioner licensed and certified under chapter 464, F.S., when the child enters or exits the program. A child must complete a medical, psychological, and substance abuse evaluation before placement in the program. The child must be placed in a judicial circuit where he or she was adjudicated or the nearest circuit that has a STAR program.
 - When a participant enters a STAR program he or she must be presented with a list of rights under this law that he or she can easily understand and acknowledge that he or she understands those rights. At exit, participants must sign a statement that these rights were observed. Requires that, at a minimum, each STAR program be staffed with at least one advanced registered nurse practitioner during the core hours of each day (7:00 am till 9:00 pm).
 - A STAR program must provide a residential component and conditional release assessments. In addition, the minimum period of participation in the residential component must be four months for moderate-risk residential programs (same as currently required for boot camps).

- The new section also directs DJJ to adopt rules under s. 120.536(1) and 120.54, F.S., for the operation of STAR programs. The rules must prohibit the use of physical force or restraints except as authorized in rules adopted pursuant to s. 985.4055, F.S., and prohibit the use of harmful psychological intimidation techniques. It requires notice from the provider to DJJ that a child can be removed from the program for unmanageable behavior or is ineligible for the program due to changes in his or her medical, psychological, and substance abuse profile. For the first year of operations, STAR programs must comply with quarterly evaluations and yearly thereafter. If a program fails to meet the minimum thresholds and performance measures, DJJ must cancel the contract.
- The youth must sign an exit statement indicating he or she was not subjected to unauthorized physical intervention techniques or excessive force and document any unexplained injuries. Also, the youth must have the right to talk with outside counsel or law enforcement. It also requires that each STAR program have prominently displayed the telephone number of the statewide abuse registry.
- DJJ shall keep records and monitor criminal activity, educational progress, and employment placement of all STAR program participants after release from the program. In addition, DJJ shall adopt rules to establish training requirements for staff who work in a STAR program. Staff may not provide direct care to a child in a STAR program until they successfully complete the training.
- Amends s. 985.311, F.S. - technical change that deletes a reference to s. 985.309, F.S., Boot Camp for Children, and adds s. 985.3091, F.S., that creates the STAR programs.
- Creates s. 985.4055, F.S., protective action response – defines “Direct Care” and “Employee” in a program that is operated by DJJ or a provider under contract with the department. It also establishes a “Protective Action Response Policy,” the policy for governing the use of verbal and physical intervention techniques, mechanical restraints, and aerosol and chemical agents by employees. It also defines authorized physical intervention techniques and the situations under which employees may use these techniques on children. It prohibits lethal force except when necessary to protect an employee from an imminent threat of bodily harm or death. Finally, it also defines the authorized use of mechanical restraints and the situations under which employees may use restraints.
- Amends s. 958.046, F.S., placement in County-operated boot camp programs for youthful offenders - A technical change to include sheriff’s training and respect programs.
- Amends s. 985.31, F.S., serious or habitual juvenile offender - A technical change that deletes the reference to Boot Camps and adds the sheriff’s training and respect programs.
- Amends s. 985.314, F.S., commitment programs for juvenile felony offenders - A technical change that deletes the reference to boot camps and adds the sheriff’s training and respect programs.

- Creates a new section of law. Establishes a pilot program in the Fourth and Eleventh Judicial Circuits from October 1, 2006 through June 30, 2009 that allows the cost of care fee to be waived if the parent successfully completes an approved parenting class and presents to the court a notarized document stating he or she has completed the program. Requires the Office of Program Policy and Government Accountability to evaluate this pilot program and report to the Governor, Legislature, and DJJ by September 30, 2007, and annually thereafter.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 116-0

HB 5021 — Sexually Violent Predators

by Fiscal Council and Rep. Negron and others

The bill limits the number of continuances in proceedings for involuntary civil commitment of sexually violent predators to one for not more than 120 days. The bill allows the court to grant additional continuances if it finds that a manifest injustice would otherwise occur.

The bill creates a registry of mental health experts for use in involuntary civil commitment of sexually violent predators proceedings in the Justice Administrative Commission.

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 38-0; House 119-0

STATE EMPLOYMENT

CS/SB 844 — State Employees

by Ways and Means Committee and Senator Carlton

This bill relates to issues regarding the pay and benefits offered to state employees.

The bill clarifies an ambiguity by granting the Justice Administrative Commission specific authority to approve a benefits plan for commission staff. Generally, the employees will be granted benefits comparable to the benefits afforded Career Service System employees. The commission has authority to grant certain managerial, policymaking and legal staff greater benefits. The employees of the State Guardian Ad Litem Office will be governed by this plan also.

The bill continues current co-payments for prescription drugs for the State Employee Health Insurance Plan and continues the current level of employer contributions into a participant's

health savings account for FY 2006-2007 for those employees participating in the high deductible plans.

The bill restricts an agency from providing pay additives to a cohort of employees unless the Legislature has specifically authorized the pay additives for the specific cohort of employees impacted and such additives are not inconsistent with the applicable collective bargaining agreement.

The bill prohibits the use of state funds to pay subsistence or per diem related to Class C travel (travel occurring within a single day).

If approved by the Governor, these provisions take effect July 1, 2006.

Vote: Senate 39-0; House 117-0

HB 5023 — State Employment

by Fiscal Council and Rep. Berfield (CS/SB 846 by Ways and Means Committee and Senator Carlton)

This bill relates to state employment. The bill resolves the noneconomic collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the FY 2006-2007.

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

Vote: Senate 39-0; House 119-0

STATE FINANCIAL MATTERS

CS/SB 2548 — State Financial Matters

by Ways and Means Committee and Senator Carlton

This bill amends the state's planning and budgeting statute, ch. 216, F.S., and various other statutes which contain financial accounting and budgetary provisions.

Provisions Relating to the State's Financial Accounting Policies:

The bill changes responsibility from Auditor General to Chief Financial Officer for establishing capitalization thresholds, inventory requirements and recording of property in financial systems.

Provisions Relating to the Estimating Conferences:

The bill reorganizes provisions relating to estimating conferences and provides consistency among all estimating conferences regarding enumerated principals: the staff of the Executive

Office of the Governor, the coordinator of the Office of Economic and Demographic Research and staff of the House of Representatives and the Senate.

Provisions Relating to Agency Submittal of Performance Measures:

The bill changes the submittal and review process for agency performance measures and standards. The bill requires performance measures and standards be submitted with the agencies long range program plans rather than their legislative budget requests. Agencies and the judicial branch may request changes to their measures throughout the year based on the legislative review and objection procedures in s. 216.177, F.S. It also provides that the legislature may require an agency to update its measures and standards and provides that the Legislature can direct the Office of Program Policy Analysis and Governmental Accountability (OPPAGA) to review the adequacy of measures and standards at any time.

Provisions Relating to the State's Budgeting Process:

- The bill establishes a “reserve” for “salary rate” to withhold rate from an agency until conditions are met.
- Requires that trust fund loans approved by the Governor under s. 215.18, F.S., also be placed on a 3 day legislative consultation pursuant to s. 216.177, F.S., notice and objections procedures.
- Clarifies that the Legislative Budget Commission approves transfers from unallocated funds as authorized by ch. 252, F.S., to provide funds for disaster response and recovery.
- Requires the Governor and the Chief Financial Officer to make changes to the Legislature’s original approved operating budget as directed by the presiding officers.
- Prohibits agencies from implementing general salary increases or pay additives not authorized by the Legislature.
- Repeals obsolete and redundant sections (repeals s. 216.346, F.S., relating to state agencies charging reasonable administrative costs, and s. 255.258, F.S., relating to a shared savings program used for state-owned facilities).
- Modifies ss. 287.063, and 287.064, F.S., to require certain state agency contracts to be supported by current appropriations.
- Requires information regarding any proposed consolidated financing of deferred payment commodity contracts to be submitted in the agency legislative budget requests.
- Broadens the investment authority of the State Treasury as specified in s. 17.57, F.S.
- Contains language relating to county maintenance of effort requirements for Article V of the Florida Constitution concerning judiciary funding.
- Modifies the certification forward process to allow “incurred obligations” to be carried forward.

If approved by the Governor, these provisions take effect July 1, 2006, except as otherwise provided.

Vote: Senate 39-0; House 116-0

