

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
BUDGET SUBCOMMITTEE ON GENERAL GOVERNMENT
APPROPRIATIONS
Senator Hays, Chair
Senator Benacquisto, Vice Chair

MEETING DATE: Wednesday, September 21, 2011
TIME: 1:30 —3:30 p.m.
PLACE: *James E. "Jim" King, Jr., Committee Room*, 401 Senate Office Building

MEMBERS: Senator Hays, Chair; Senator Benacquisto, Vice Chair; Senators Braynon, Bullard, Diaz de la Portilla, Hill, Jones, and Latvala

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Secretary Ken Lawson, Department of Business & Professional Regulation - Introduction		
2	Commissioner Tom Grady, Office of Financial Regulation - Introduction		
3	One Stop Business Registration System - Department of Revenue		
4	Division of Workers' Compensation Overview - Department of Financial Services		
5	Federal Withholding Requirement - Department of Financial Services		
6	Office of Energy - Department of Agriculture & Consumer Services		

Florida Department of
Business
Professional
Regulation

License efficiently. Regulate fairly.

Ken Lawson
Secretary

Guiding Principles

- Smart De-Regulation
 - Working to identify and remove rules and business processes that get in the way of businesses.
- Fair But Strong Enforcement
 - The goal is always to get businesses into compliance. Enforcement will be strong but fair, and our licensees deserve to have a voice in the enforcement process.
- Open Door Policy
 - I have met with and will continue to meet with anyone who walks through the door.

What We've Done Lately

- ApplyNow!
- Licensee Survey
- Video Conferencing with Licensees
- Counterfeit Cigarette Task Force
- Summer Business Tours

Your Bill of Rights

As a licensee with DBPR, you have the right to:

- Know the reason for your inspection
- Have knowledgeable, helpful, objective and courteous inspectors
- Have professional inspectors who use safe and minimally disruptive practices in completing your inspection
- Receive a copy of the completed inspection
- Question the findings of your inspection
- Ask for reconsideration of those findings
- Be efficiently and fairly treated in all dealings with DBPR

Our Commitment

We will diligently work to make Florida and DBPR great places to conduct business everyday. In keeping with this purpose, we will treat our licensees as valued customers and partners, invest in our employees, and uphold laws that protect the public and enhance Florida's competitiveness.

Core Mission

- Keeping our eye on the ball.
 - Percentage of Calls Answered Within 5 minutes
 - June – 98.86%
 - July – 95.68%
 - August – 92.15%
 - Central Intake Processing Times
 - June – 3.3 Days
 - July – 3 Days
 - August – 2 Days

Contact Info

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Ruth Dillard

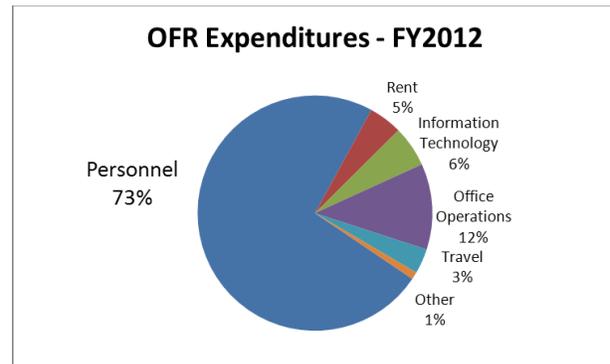
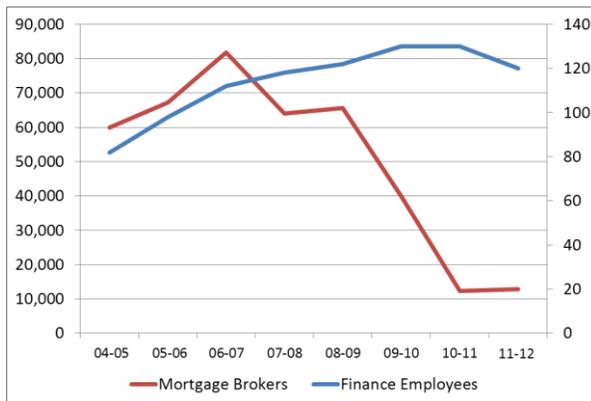
Director of Administration and Financial Management (Budget)

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Office of Financial Regulation Budget Summary

As a regulatory agency, OFR spends the bulk of its budget on personnel. Among the staff of OFR's 3 Divisions, approximately 19% of employees work on licensing and registration, while about 81% work on examinations and enforcement.



As the economy entered recession, the number of licensees and registrants began to decline rapidly. This change was most evident among mortgage brokers. At the peak of the real estate boom, OFR licensed 81,695 mortgage brokers, which made up 60% of all of OFR's registrants. Last fiscal year, there were only 12,403 mortgage brokers, or 29% of all registrants. OFR's staffing levels have not adjusted sufficiently to reflect this trend.

Office of Financial Regulation Initiatives

- **Budget Initiative** – Simplified budget request with more flexibility and measurable goals for increased accountability.
- **Regulatory Reform Initiative** – Reduce unnecessary and burdensome regulation to help the private sector create jobs while still meeting our statutory obligation to vigorously protect Florida's consumers.
- **Redundancy Initiative** – Eliminate non-required activities that are performed more effectively by another entity.
- **Caseload Initiative** – Focus our resources on cases that will have the biggest impact for Floridians.
- **Performance & Measurement Initiative** – Rethink the way we measure success to provide useful tools for evaluation and improvement.

Florida One Stop Registration



**Florida Senate
Budget Subcommittee on
General Government
Appropriations
September 21, 2011**



**Lisa Vickers
Executive Director
Department of Revenue**



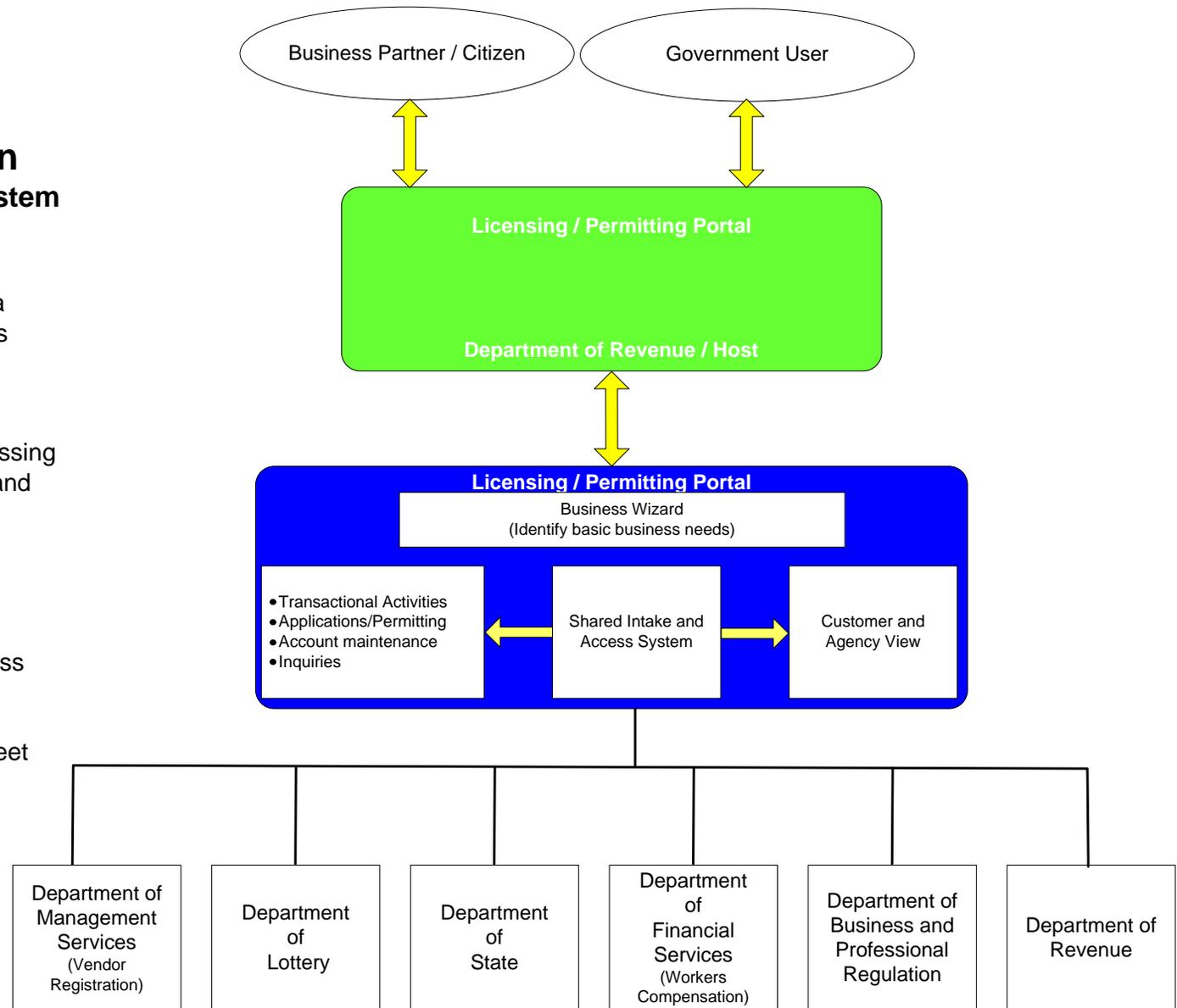
Proposed One Stop Registration Phase I – Shared Intake System

Phase I:

- Provides **new** businesses a one-stop portal for business registrations and licensing
- Centralized transactional activities
- Centralized payment processing for registrations, licensing and permit fees
- Centralized inquiries
- Provides customer view of individual accounts
- Provides limited agency participation and view access

Benefits:

- Easier for businesses to meet legal requirements
- Increased compliance
- Improvement of data





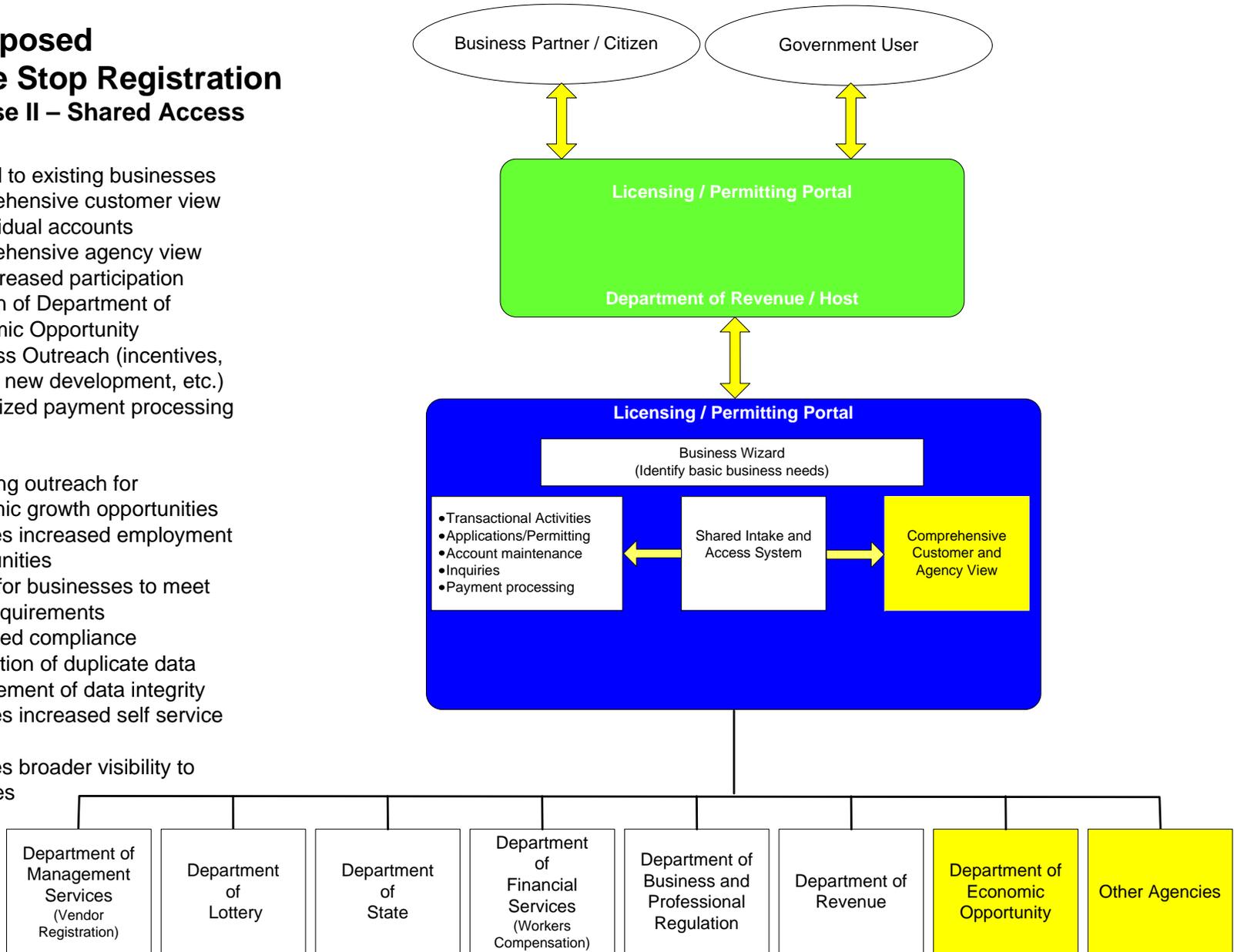
Proposed One Stop Registration Phase II – Shared Access

Phase II:

- Expand to existing businesses
- Comprehensive customer view of individual accounts
- Comprehensive agency view and increased participation
- Addition of Department of Economic Opportunity
- Business Outreach (incentives, credits, new development, etc.)
- Centralized payment processing

Benefits:

- Providing outreach for economic growth opportunities
- Provides increased employment opportunities
- Easier for businesses to meet legal requirements
- Increased compliance
- Elimination of duplicate data
- Improvement of data integrity
- Provides increased self service options
- Provides broader visibility to agencies



Future Development and Enhancements

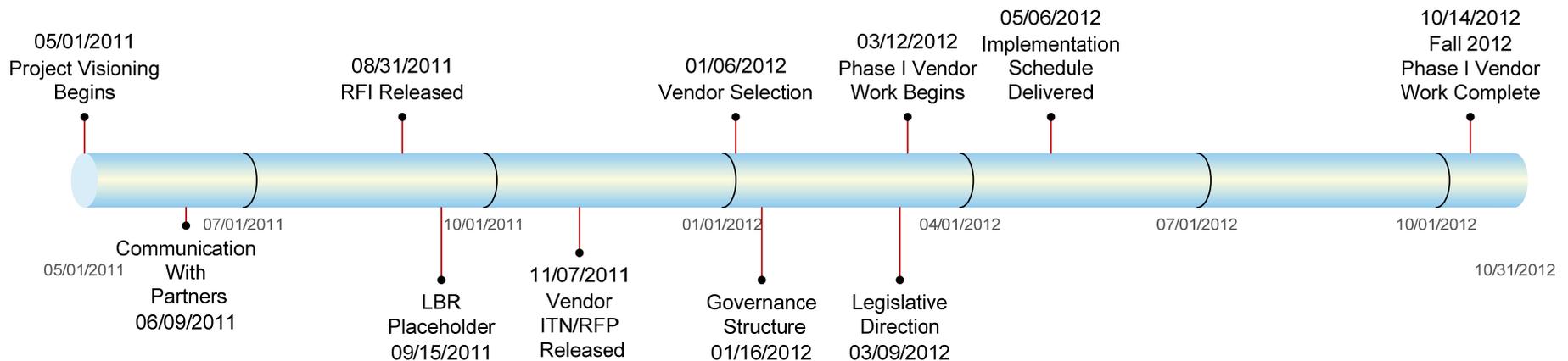
- Address and account management activities
- Complaints
- Criminal background checks
- Fingerprinting

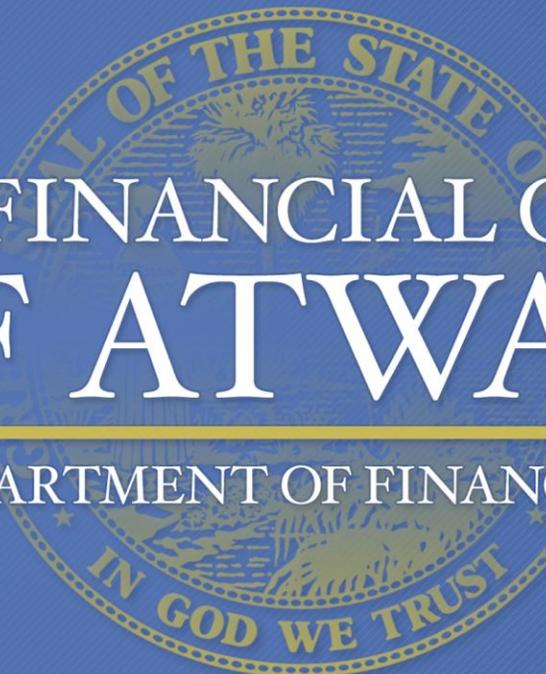
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- Shared services
 - Local government links

One Stop Registration Tentative Time Line

Phase I Design and Implementation

- ✓ Formation of interagency Executive Board, Technology and Budget Teams
- ✓ Draft One Stop Registration Vision
- ✓ Submission of placeholder LBR language
- ✓ Preliminary interagency requirement gathering
- ✓ Release of RFI





CHIEF FINANCIAL OFFICER
JEFF ATWATER
FLORIDA DEPARTMENT OF FINANCIAL SERVICES

Senate General Government Appropriations Committee
September 21, 2011

Implementation of TIPRA & Workers' Compensation Updates

Ashley Mayer, Director of Policy, Research & Legislative Affairs

AGENDA

- Implementation of 3% withholding law, pursuant to the Tax Increase Prevention and Reconciliation Act of 2005 (TIPRA)
- Workers' Compensation Administration Trust Fund (WCATF) Balance & Expenses
- Drug Repackaging

Tax Increase Prevention and Reconciliation Act of 2005 (TIPRA)

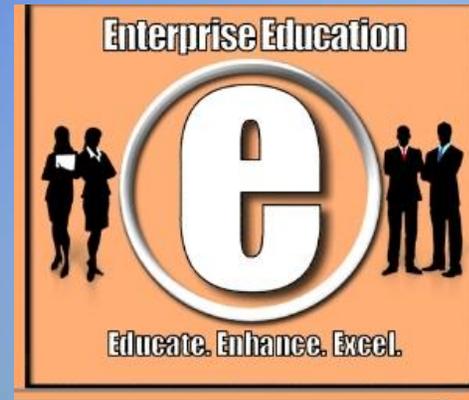
- Section 3402(t) was added to the Internal Revenue Code by TIPRA. One of its requirements is to withhold 3% from every governmental payment to “any person providing any property or services,” that must then be remitted to the federal government.
- Vendors receiving state payments of \$10,000 or more for property or services will be affected.
- However, some vendors and payment types are exempt.
- Our Department has set up a website for more information :
<http://www.myfloridacfo.com/aadir/IRS3PercentWithholding.htm>.
- The Division of Accounting & Auditing will have to begin making these withholdings beginning January 1, 2013 (barring any additional extension*).
- The Division will then remit the funds to the federal government.

CHIEF FINANCIAL OFFICER
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FLORIDA DEPARTMENT OF FINANCIAL SERVICES

Implementation Status

Processes Implemented:

- Statewide Vendor File Enhancement (12/2010)
- Elimination of the Client Vendor File
- Create W9 website (launched 3/2011, allows for electronic processing of W9's, which will be automatically loaded into FLAIR...DFS must obtain a substitute form W-9 for over 200,000 vendors prior to first order or purchase)
- 1099 reporting process for 2011 part I - addition of object code indicators for withholding and 1099 reporting (8/2011)



Ongoing Activities:

- 3% Selection Criteria and process redesign – Design sessions
- 1099 reporting process for 2011 part II – integration and use of the new W9 information.
- Vendor support and outreach
- Departmental Disbursement Process Modifications to validate W9 prior to payment (11/2011)
- Participation in a federal workgroup via monthly teleconference calls

The screenshot shows the 'State of Florida Vendor Website' portal. At the top, it identifies Jeff Atwater as the Chief Financial Officer of the Florida Department of Financial Services. The page is divided into several sections: 'Informational Links' with links to the 3% Withholding Website, Direct Deposit, Vendor Payment History, and MyFloridaMarketPlace; 'Informational Documents' with links to Website Requirements, FAQs for 3% Federal Withholding, FAQs for Substitute Form W-9, Substitute Form W-9 Requirements, and Business Designations Descriptions; a 'NOTICE' section regarding effective November 7, 2011; a 'News and Notes' section regarding effective January 1, 2013; and a 'Website Training' section. A prominent yellow box on the right side contains the text 'SUBSTITUTE FORM W-9' and provides links for 'Not Registered?' and 'Sign On'. A 'Contact Us' section lists options like 'Forgot User ID' and 'Need to update Taxpayer Identification Number'. The footer includes a copyright notice for 2010 and links for Privacy and Accessibility.

CHIEF FINANCIAL OFFICER
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FLORIDA DEPARTMENT OF FINANCIAL SERVICES

Implementation Status, *continued*

Future Work To Be Completed:

- 1099 Modifications
- Creation of 3% Withholding Transaction
- Backup Withholding Calculation
- Warrant Processing and printing
- Warrant Cancellation and Reconciliation
- EFT Processing – returns and reversals
- Vendor History & Sunshine Spending Website Modifications
- Contract System Modifications
- Information Warehouse Table Changes
- IRS Reporting and Remittance
- Agency and Auditor General File Copies
- Modify 1099 print process
- Create CDs for historical 1099 withholding
- MyFloridaMarketPlace (MFMP) Reconciliation & B-Notices
- File from IRS & monitor B-Notice File with Substitute Form W9
- Post 1099 forms on the Web

To search vendor payments,
please visit the
Sunshine Spending website @
<http://flair.myfloridacfo.com/approot/dispub2/cvphsrch.htm>

The Future of 3% Withholdings....?

- Currently, several members of Congress are seeking to repeal TIPRA's withholding requirement.
- Federal legislation repealing this requirement:
 - SB. 89 has 11 co-sponsors but none from Florida
 - S.164 has 21 co-sponsors including Senator Rubio
 - HR. 674 has 232 co-sponsors including 10 of Florida's 25 Representatives

Florida's Needs for Implementation

- Funds have already been appropriated to dedicate staff time just to this one project.

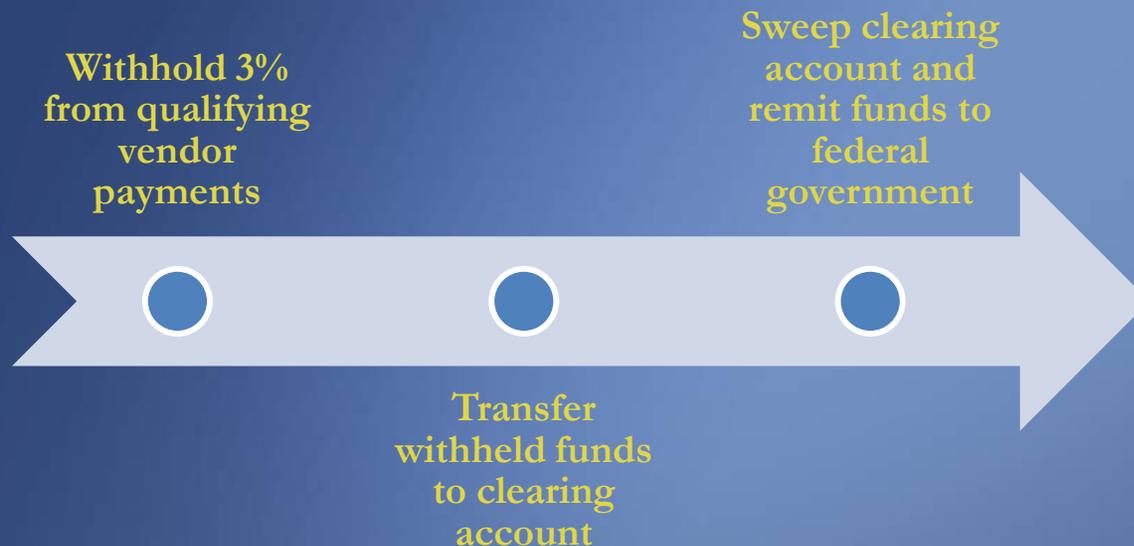
	FY	GR	TF	Totals		
Federal 3% Withholding						
(3 FTE- \$13,236)	2009 - 10		\$300,000			
(6 FTE - \$141,355)	2010 - 11	\$779,852		20 FTE	<i>Non Recurring</i>	<i>Recurring</i>
(11 FTE - \$750,000)	2011-12	\$1,250,000	\$394,541	\$2,724,393	\$904,591	\$1,819,802

- Because of the year extension, 3 positions remained unfilled at the current time. However, they will be filled soon, particularly as the deadline nears. We will need to establish a new Taxation unit to handle the tax reconciliation and remittance process.
- FTE positions are split between our Division of Accounting & Auditing, which performs the taxation functions attendant to the withholding, and our Division of Information Systems, which is programming and preparing the state's accounting system, FLAIR.

Florida's Needs for Implementation, *continued*

Future Needs

- This session, DFS is requesting a Clearing Trust Fund, which can function as a depository for funds that must be remitted to the IRS pursuant to the withholding mandate. This will allow us to segregate the 3% withholding proceeds from other state funds.
- Based on volume, DFS anticipates that we will remit withheld funds to the federal government twice per week.
- Given this frequency, a clearing account, in the form of a new trust fund, will allow us to more efficiently isolate and remit payments to the federal government.



*Questions regarding
the 3% withholding?*

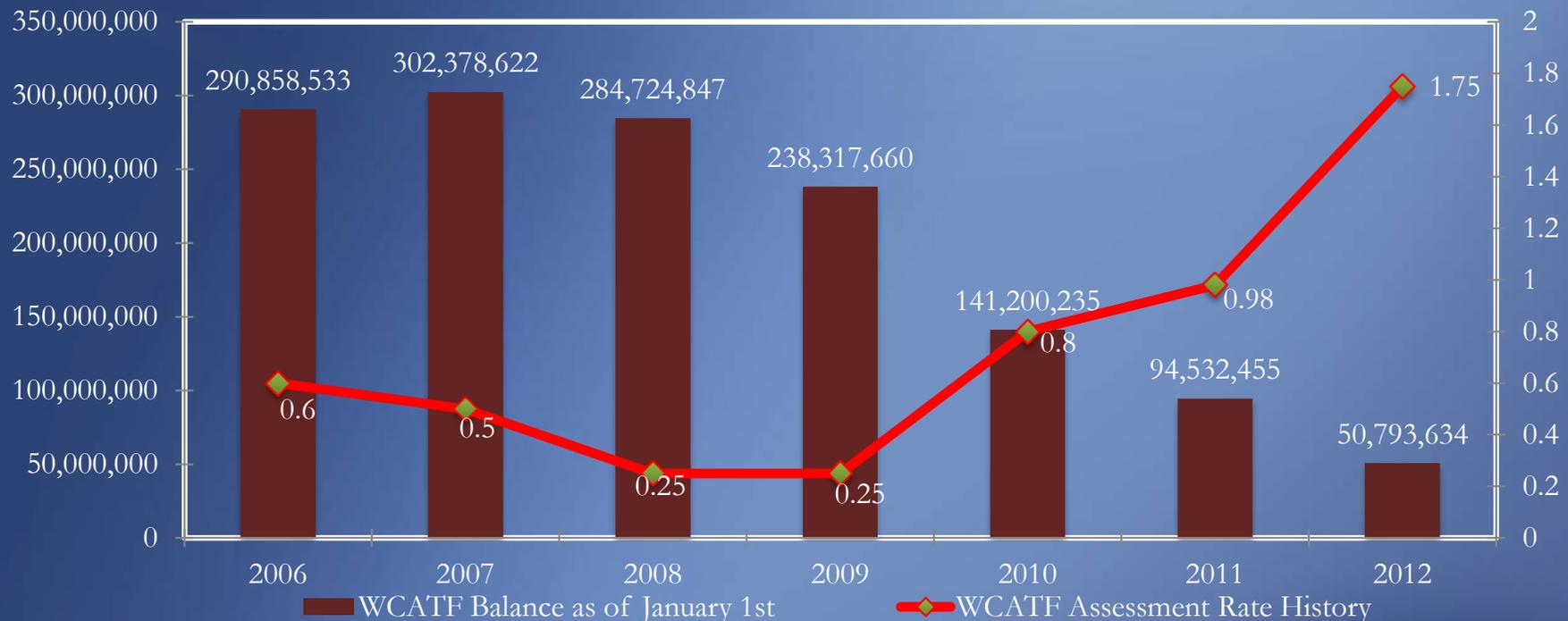
CHIEF FINANCIAL OFFICER
JEFF ATWATER
FLORIDA DEPARTMENT OF FINANCIAL SERVICES

Workers' Compensation Administrative Trust Fund (WCATF)

- The WCATF was established pursuant to s. 440.50, F.S., and provides for the payment of all expenses with respect to the administration of Chapter 440 (Florida's Workers' Compensation Law). Its expenses include:
 - The Division of Workers' Compensation
 - Payment of permanent total supplemental benefits to injured workers
 - The Division of Administrative Hearings, Office of the Judges of Compensation Claims
 - DOE's Bureau of Rehabilitation and Reemployment Services for injured workers
 - DFS's Bureau of Workers' Compensation Insurance Fraud
 - AHCA's Workers' Comp Managed Care Section
 - DBPR's Child Labor and Farm Labor enforcement programs
 - Part of the First DCA's operating costs & FTE (one judge; two clerks) and a debt service transfer to DMS for courthouse (complete).

WCATF Assessment Rate Calculation

- The WCATF is funded by an assessment on insurers' premium. The assessment rate is included in the overall workers' compensation rate charged to employers.
- This assessment rate is derived from projected expenses for the WCATF in relation to the projected overall statewide premium base, while accounting for an adequate fund balance level.
- The assessment rate is statutorily capped at 2.75%, and has fluctuated over time.



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2012 WCATF Assessment Rate

- Carriers and self-insurers were notified of the assessment change—to 1.75%—July 1st.



INFORMATIONAL BULLETIN
DFS-02-2011
ISSUED
 June 30, 2011
 Florida Department of Financial Services
 Jeff Atwater
 Chief Financial Officer

All Carriers and Self-Insurers, Including Each Insurance Company Writing Workers' Compensation Insurance in the State of Florida, Each Group Self-Insurance Funds Under Section 624.4621, Florida Statutes, Each Commercial Self-Insurance Funds Under Section 624.462, Florida Statutes, Each Electric Cooperative Self-Insurance Funds Under Section 624.4626, Florida Statutes, And Each Assessable Mutual Insurer Under Section 628.6011, Florida Statutes

Order Setting Assessment Rate for the Workers' Compensation Administration Trust Fund for Calendar Year 2012

Attached is a copy of the Order that sets the assessment rate for the Workers' Compensation Administration Trust Fund for calendar year 2012.

Pursuant to Section 440.51(1), Florida Statutes, the Department shall estimate annually in advance the amounts necessary for the administration of Chapter 440, Florida Statutes, based on the anticipated expenses of the administration of Chapter 440 for the next calendar year.

Taking into account the current WCATF balance and the anticipated expenses of the administration of Chapter 440, the Department has estimated the amounts necessary for the administration of Chapter 440 for calendar year 2012.

Beginning January 1, 2012, the assessment rate for the WCATF is 1.75%

If you have questions or need additional information about this assessment, please call Gene Smith, Assessments Coordinator for the Division of Workers' Compensation, at (850) 413-1644.

Fiscal Year:	Assessment Rate:
75-76	2.00%
76-77	2.00%
77-78	2.00%
78-79	2.00%
79-80	1.00%
80-81	1.00%
81-82	3.00%
82-83	2.00%
83-84	3.00%
84-85	2.85%
85-86	2.40%
86-87	2.00%
87-88	1.40%
88-89	1.40%
89-90	1.40%
90-91	1.60%
91-92	1.50%
92-93	1.40%
93-94	1.66%
94-95	3.22%
95-96	3.15%
96-97	2.50%
97-98	2.40%
98-99	2.75%
99-00	3.48%
00-00	3.74%
Calendar Year:	
2001	2.75%
2002	2.56%
2003	1.75%
2004	1.50%
2005	0.75%
2006	0.60%
2007	0.50%
2008	0.25%
2009	0.25%
2010	0.80%
2011	0.98%
2012	1.75%

(The 3.74% is for the six month period of 7/1/2000 through 12/31/2000)

New WCATF rate is capped at 2.75% beginning 1/1/2001. (The capped WCATF rate was 4.0% prior to this).

	Cash Balance:
	As of Jan 1, cal yr
2007	\$ 302,378,622
2008	\$ 284,724,847
2009	\$ 238,317,660
2010	\$ 141,200,235
2011	\$ 93,278,492

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JEFF ATWATER
 FLORIDA DEPARTMENT OF FINANCIAL SERVICES

WCATF Cash Balance



- The balance reached a high of \$302 million in early 2007, but has been reduced in the years that followed. As of August 29, 2011, the WCATF's balance was \$61.6 million.

- The WCATF's cash balance has fluctuated over time. It had a significant cash balance in the early to mid-2000's due to pending lawsuits, which were eventually resolved in the state's favor. Consequently, the balance was later drawn down, and a lower assessment rate was chosen.

- The WCATF was subject to a \$5,000,000 general revenue (GR) appropriation in FY 2007-2008, and an additional \$35,000,000 GR appropriation in FY 2008-2009. This has further diminished the WCATF's cash balance.

WCATF Opportunities

- The WCATF assessment rate is a product of expenses and collections.
- One opportunity for more certainty in the rate is to require that its calculation include an estimated end of the calendar year fund balance of no less than 50% of the next calendar year's expenses.

Section 440.51(1).—

The department shall estimate annually in advance the amounts necessary for the administration of this chapter, in the following manner.

(a) The department shall, by July 1 of each year, notify carriers and self-insurers of the assessment rate, which shall be based on the anticipated expenses of the administration of this chapter for the next calendar year and on an anticipated fund balance on December 31 of the next calendar equaling no less than 50% of the next calendar year's anticipated expenses. Such assessment rate shall take effect January 1 of the next calendar year and shall be included in workers' compensation rate filings approved by the office which become effective on or after January 1 of the next calendar year. Assessments shall become due and be paid quarterly.

Questions?

Drug Repackaging

- DFS' Division of Workers' Compensation serves as a compliance resource for stakeholders, administers and oversees the provisions of Chapter 440, F.S., and provides real-time workers' comp information.
- Over the last couple of years, drug repackaging has become a "hot topic" in the workers' compensation insurance marketplace.
- Drug repackagers are currently licensed by the Department of Health, but as of October 1, 2011, that responsibility will move to the Department of Business and Professional Regulation.
- Current law allows prescription drugs to be reimbursed at the "average wholesale price" (AWP) plus a \$4.18 dispensing fee, or a contract rate, whichever is lower. There is no uniform definition of AWP.
- Although drug repackagers do not alter the drugs, they do sell them in different quantities. In doing so, a new AWP is assigned.
- In 2010, HB 5603 was vetoed by Gov. Crist. That bill would have continued to allow the repackaging of prescription drugs, but it strictly limited the reimbursement amount to the AWP of the original manufacturer, plus the \$4.18 dispensing fee.

Drug Repackaging, *continued*

- The National Council on Compensation Insurance (NCCI)*, estimated that HB 5603 (2010) would have decreased overall workers' comp costs by 1.1%, or \$34 million, in Florida.
- Last session, SB 1068 (2011) similarly revised requirements for determining the reimbursement amount for repackaged drugs for workers' compensation claimants. It limited the reimbursement amount for a repackaged drug by multiplying the number of units dispensed by the per-unit AWP set by the original manufacturer, plus a \$ 4.18 dispensing fee, or the contracted rate negotiated by DMS.
- NCCI estimated that SB 1068 would have had a -2.5% impact, or in other words, would have saved over \$60 million in workers' comp costs.



ANALYSIS OF FLORIDA SB 1068 - PROPOSAL TO REVISE REIMBURSEMENT RULES FOR REPACKAGED OR RELABELED PRESCRIPTION DRUGS AND ANALYSIS OF PROPOSAL TO REVISE DRUG DISPENSING FEE EFFECTIVE JULY 1, 2011

Average proposed reimbursement = Total Paid (less \$4.18 dispensing fee) divided by Total Units
 Proposed Dispensing Fee = \$4.28 (Scenario 1) OR \$2.00 (Scenario 2)

The current and proposed reimbursements are summed over all the transaction-level data to obtain total current and total proposed costs. The estimated direct impact on drug costs is the ratio of total proposed costs to total current costs.

Note that the AWP is not subject to any law or regulation. Therefore, there are no requirements for the AWP to reflect the price of any actual sale of drugs by a manufacturer. In addition, since there is a lack of control over the AWP, it may be subject to significant upward pricing pressures. For these reasons, limiting the reimbursement for repackaged drugs to the AWP set by the manufacturer may result in less savings than anticipated.

The impact on total prescription drugs due to the above proposals is summarized in the table below:

Type of Prescription Drug	Cost Distribution ²	Impact (Scenario 1)	Impact (Scenario 2)
Repackaged	39.8%	-56.3%	-58.1%
Non-Repackaged	60.2%	+0.1%	-2.6%
Total Prescription Drugs	100.0%	-22.3%	-24.7%

The above impacts on total prescription drugs are then multiplied by the Florida percentage of medical costs that are prescription drugs (16.0%³) to arrive at an impact on medical costs. The resulting impacts on medical costs are then multiplied by the percentage of Florida benefit costs that are medical (68.3%³) to yield the impact on Florida overall workers compensation system costs.

NCCI estimates that the combination of SB 1068 and revising the dispensing fee from \$4.18 to \$4.28 would result in an impact of -2.5% (\$-62M¹) on overall workers compensation costs in Florida. NCCI estimates that the combination of SB 1068 and revising the dispensing fee from \$4.18 to \$2.00 would result in an impact of -2.7% (\$-67M¹) on overall workers compensation costs in Florida.

CHIEF FINANCIAL OFFICER
JEFF ATWATER
 FLORIDA DEPARTMENT OF FINANCIAL SERVICES

* NCCI manages the largest database of workers' comp insurance information. In Florida, NCCI files for rates on behalf of workers' comp insurers.

Repackaging vs. Dispensing: The Distinction

- Although related, dispensing and repackaging are distinct.
- Physician *dispensing* is the practice of providing prescription medication to patients in a doctor's office. This can offer a convenience to patients.
- *Repackaging* is the practice of assigning a different cost to the prescriptions by changing the quantity or label of the prescription. By relabeling or repackaging a prescription, a new National Drug Code is assigned, which triggers the assignment of a new and different AWP.
- Neither HB 5603 nor SB 1068 altered the ability of physicians to *dispense*; rather, they limited the associated costs of *repackaging* to the formula currently allowable for pharmacies.

FL Repackaged and Non-Repackaged Drugs Dispensed by Physician, Pharmacies and Other – For Service Year 2009

	Average Unit Price		
	Repackaged Drugs	Nonrepackaged Drugs	Difference in %
	(1)	(2)	(3) = (1)/(2) - 1
CARISOPRODOL	4.21	0.54	679.6%
MELOXICAM	5.70	3.04	87.5%
RANITIDINE HCL	3.77	1.32	185.6%
TRAMADOL HCL	1.63	0.78	109.0%
LIDODERM®	13.69	7.32	87.0%
NAPROXEN	2.10	1.09	92.7%
OMEPRAZOLE	7.53	3.85	95.6%
HYDROCODONE-ACETAMINOPHEN	1.28	0.39	228.2%
ETODOLAC	2.81	1.40	100.7%
SKELAXIN®	5.41	3.72	45.4%
OXYCODONE-ACETAMINOPHEN	3.43	0.49	600.0%
CYCLOBENZAPRINE HCL	1.95	1.05	85.7%
CEPHALEXIN	3.01	0.66	356.1%
ZOLPIDEM TARTRATE	6.81	3.72	83.1%
IBUPROFEN	0.65	0.33	97.0%

Dispensing & Repackaging Costs

- NCCI published this illustration of price differentials between repackaged and non-repackaged drugs.
- Again, this difference is typically due to the assignment of a new AWP.
- Our Division of Risk Management estimates that the impact of repackaging reform to the state, based on its administration of workers' compensation claims for state employees, would be approximately \$400,000-500,000/annually.

Top Physician-Dispensed Drugs in Florida

2005		2009	
Drug Name	Price Per Script	Drug Name	Price Per Script
1 CARISOPRODOL	\$118	MELOXICAM	\$192
2 NAPROXEN	\$35	CARISOPRODOL	\$272
3 CEPHALEXIN	\$52	TRAMADOL HCL	\$80
4 TRAMADOL HCL	\$35	OMEPRAZOLE	\$279
5 SKELAXIN®	\$50	RANITIDINE HCL	\$175
6 IBUPROFEN	\$12	LIDODERM®	\$502
7 RANITIDINE HCL	\$92	NAPROXEN	\$57
8 ETODOLAC	\$52	HYDROCODONE-ACETAMINOPHEN	\$50
9 CYCLOBENZAPRINE HCL	\$28	CYCLOBENZAPRINE HCL	\$63
10 DICLOFENAC SODIUM	\$56	ETODOLAC	\$126

Source: Derived from sample data provided by carriers
Ranks are by total dollars paid

Questions?

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FLORIDA DEPARTMENT OF FINANCIAL SERVICES

The material for this tab is combined with Tab 4.



Office of Energy



Budget Subcommittee on General Government Appropriations

September 21, 2011

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM



Office of Energy Transfer

- SB 2156 transferred Office of Energy (OOE) from the Executive Office of the Governor to the Department of Agriculture and Consumer Services on July 1, 2011.
- Florida Energy and Climate Commission was dissolved in the same bill on June 30, 2011.





Functions & Responsibilities

- Coordinate Federal & State energy programs & Administer Grants
- Produce Annual Energy Report
 - Baseline assessment of Florida's energy resources
 - Improvements for Energy Efficiency & Conservation
 - State Agency implementation of State Energy Policy
- Provide Analysis and Prepare Recommendations
 - Proposed Federal energy programs
 - Long range energy supply and demand scenarios (economic growth, renewables development, alternative strategies - 5-10-20 years)

Responsibilities (Cont.)

- Promote and advocate for the development and use of renewable energy resources and energy efficiency technologies
 - Enhance Florida's position as leader in solar energy use, R&D
- Promote energy efficiency and conservation measures in all energy use sectors
- Serve as State clearing house for all energy information (academia, public and private sectors)
- Provide assistance to other state agencies, counties, municipalities, and regional planning agencies to further and promote their energy planning activities

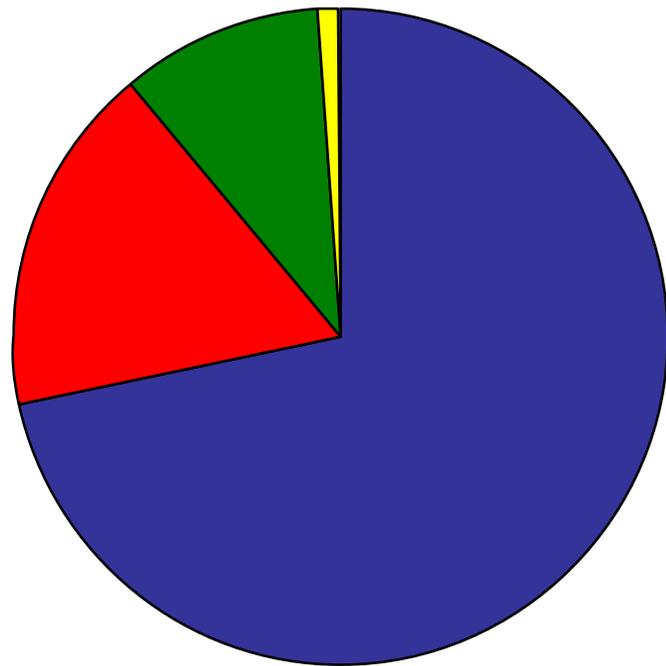


OOE Structure & Opportunities for Change

- Staffing - Current make up of 15 FTEs & 8 OPS
 - Current alignment heavily skewed towards grant/rebate admin. (75%)
 - Adapting for the Future (emphasis on policy analysis, measuring success & lessons learned recommendations)
- Funding - Exclusively Grants - No General Revenue
 - Total Admin costs for OOE = \$2,101,583
 - Admin & Overhead costs = 4.2% of Grants
- DACS Inspector General Review
 - DACS IG has reviewed previous State & DOE audits
 - Comprehensive audit of programs
- DACS Transition
 - Stability & Predictability - Ability and Support to Plan & Evolve
 - Support Resource Availability - HR, Finance, Legal, IT



2009-2012 Federal American Recovery and Reinvestment Act (ARRA)



■ State Energy Program -
\$126,089,000

■ Energy Efficiency & Conservation
Block Grant - \$30,401,600

■ Energy Efficient Appliance Rebate
- \$17,585,466

■ Energy Assurance Grant -
\$1,881,676

TOTAL FUNDING.....\$175,957,276

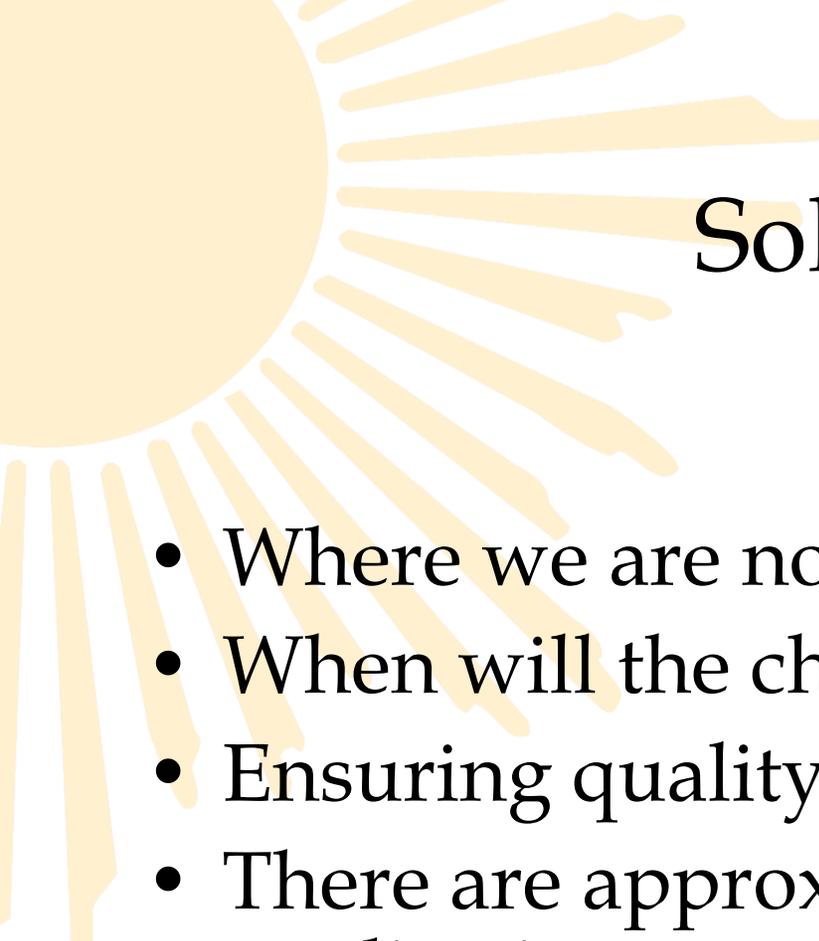




Overview of ARRA State Energy Program

- Florida Clean Energy Grants
- Solar for Schools & Storm Shelters
- Shovel Ready Grants
- Compressed Natural Gas (CNG) Fleet Fueling Grants
- E85/B20 Fueling Retrofit Grants
- Florida Energy Opportunity Fund
- Energy STAR Residential Heating, Ventilation & Air Conditioning (HVAC) Retrofit Rebates [\(program completed\)](#)
- Solar Rebate Program





Solar Rebates

- Where we are now?
- When will the checks go out?
- Ensuring quality customer service
- There are approximately **10,900** total approved applications
- There is approximately **\$25 million** available to pay out the unfunded applications
- Accomplishments



Solar Rebate Timeline

2006- Legislature passes SB 888 which creates the solar rebate program and appropriates \$2.5 million to the solar rebate program (expended in 11 months)

July 2008 - State Legislature appropriates \$5 million to the solar rebate program (expended in 11 months)

July 2007 - State Legislature appropriates \$3.5 million to the solar rebate program (expended in 7 months)

September 2009 approval of \$14.4 million in SEP - ARRA funds to the solar rebate program to pay backlogs up to June 2009

November 2010 - Florida Legislature passes HB 15A which appropriated more money to the HVAC and Solar Rebate programs

September 2011 - Finalizing check payment with the Department of Financial Services

June 2010 - solar rebate programs expires in statute with \$45 million in unfunded applications

April 2011 - Pay out of the HVAC rebate program complete; leaving approximately \$25 million to pay out the unfunded solar rebates





Overview of ARRA Grant Categories Continued

ARRA - EECBG

- Competitive Grants to Local Governments
- Energy Code - Compliance, Training and Education
- Electric Car Conversion Rebates
- Clean Tech Economic Development Strategy
- Sunshine State Buildings

ARRA - Additional Grants

- Energy STAR Appliance Rebates (program completed)
- Energy Assurance Grants
 - Subgrant to the Division of Emergency Management
 - Subgrant to the Florida Department of Law Enforcement



Overview of State Grant Categories

- Florida's Renewable Energy and Energy-Efficient Technologies (REET) Grants:
 - Currently administering 12 state funded R&D grants to public and private entities
 - Awarded over \$23 million since 2006
- Farm to Fuel Grants:
 - Awarded \$25 million for 4 commercial scale and 8 R&D projects
 - 5 projects completed, 6 progressing on time, 1 negotiating an extension



What's Ahead



- Payout of the Solar Rebate Program;
- Continue to administer and monitor our ARRA funded programs to ensure successful on time completion;
- Provide an Annual Energy Report to the Governor and legislature this year; and
- Work with the legislature and Governor's office to collectively advance Florida's energy policy.
- *Florida Energy Summit - October 26-28, 2011*





Florida Energy Summit

October 26-28, 2011

Rosen Shingle Creek

Orlando, Florida

www.floridaenergysummit.com

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Office of Energy

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

COMMISSIONER ADAM H. PUTNAM

