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|--------------|---|
| Tab 1 | CS/SB 522 by TR, Soto (CO-INTRODUCERS) Flores ; (Similar to H 0357) Traffic Safety on State Roads |
| Tab 2 | SB 956 by Stargel ; (Similar to CS/1ST ENG/H 0479) Special Districts |
| Tab 3 | CS/SB 1046 by TR, Hutson ; (Similar to H 0411) Farm Vehicles |
| Tab 4 | SB 7040 by CM ; (Similar to H 7065) Federal Workforce Innovation and Opportunity Act |

COMMITTEE MEETING EXPANDED AGENDA**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, TOURISM, AND ECONOMIC
DEVELOPMENT****Senator Latvala, Chair
Senator Clemens, Vice Chair****MEETING DATE:** Thursday, January 28, 2016**TIME:** 10:00 a.m.—12:00 noon**PLACE:** 301 Senate Office Building**MEMBERS:** Senator Latvala, Chair; Senator Clemens, Vice Chair; Senators Brandes, Detert, Diaz de la Portilla, Gibson, Hukill, Sachs, and Thompson

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|---|---|----------------------------|
| | Review and Discussion of Fiscal Year 2016-2017 Budget Issues Relating to: Department of Economic Opportunity Division of Emergency Management, Executive Office of the Governor Department of Highway Safety and Motor Vehicles Department of Military Affairs Department of State Department of Transportation | | Discussed |
| 1 | CS/SB 522 Transportation / Soto (Similar H 357) | Traffic Safety on State Roads; Creating "Chloe's Law"; requiring the Department of Transportation to install roadside barriers to shield water bodies contiguous with state roads at certain locations by a specified date under certain circumstances; requiring the department to conduct a study related to certain motor vehicle accidents on state roads contiguous with water bodies which occurred during a specified timeframe, subject to certain requirements, etc. TR 01/20/2016 Fav/CS ATD 01/28/2016 Favorable AP | Favorable Yeas 8 Nays 0 |
| 2 | SB 956 Stargel (Similar CS/H 479, Compare H 593, H 745, H 7001, CS/S 516, CS/S 686) | Special Districts; Revising legislative intent with respect to the Uniform Special District Accountability Act to include dependent special districts; specifying the period of time for which certain budget information must remain on the special district's website; specifying the Legislature's authority to create dependent special districts by special act; revising the criteria that must be documented before a special district may be declared inactive, etc. CA 01/19/2016 Favorable ATD 01/28/2016 Favorable FP | Favorable Yeas 8 Nays 0 |

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Transportation, Tourism, and Economic Development
Thursday, January 28, 2016, 10:00 a.m.—12:00 noon

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|---------------------------------|---|--|----------------------------|
| 3 | CS/SB 1046 Transportation / Hutson (Similar H 411) | Farm Vehicles; Defining the term "covered farm vehicle" for purposes of the Florida Uniform Traffic Control Law; exempting the driver of a covered farm vehicle from commercial driver license requirements, etc. TR 01/20/2016 Fav/CS ATD 01/28/2016 Favorable FP | Favorable Yeas 8 Nays 0 |
| 4 | SB 7040 Commerce and Tourism (Similar H 7065) | Federal Workforce Innovation and Opportunity Act; Providing implementation of the federal Workforce Innovation and Opportunity Act through a 4-year plan; deleting a provision authorizing an optional federal partner to fulfill certain state planning and reporting requirements; revising the entities required to collaborate with CareerSource Florida, Inc., to establish certain performance accountability measures; requiring CareerSource Florida, Inc., to establish regional planning areas subject to certain requirements by a certain date, etc. ATD 01/28/2016 Favorable FP | Favorable Yeas 8 Nays 0 |
| 5 | Follow-up Discussion on the Economic Development Package | | Not Considered |
| Other Related Meeting Documents | | | |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|----------------------|---|--------------------------------------|--------------|-------|--------------|--------------|--------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 1 | | ECONOMIC OPPORTUNITY | | | | | | | 1 |
| 2 | 1100001 | BASE BUDGET - OPERATING | 1,618.50 | 21,419,905 | | 54,430,014 | 780,612,395 | 802,032,300 | 2 |
| 3 | 1100002 | BASE BUDGET - FIXED CAPITAL OUTLAY & DEBT SERVICE/OTHER | | - | | 3,200,000 | 3,200,000 | 3,200,000 | 3 |
| 4 | 2503080 | Direct Billing for Administrative Hearings Statewide Issue to adjust the base budget for the department's FY 2016-17 payment to the Division of Administrative Hearings (DOAH). The allocated share is based on the actual number of hearing hours used by the department in FY 2014-15. | | | | | (55,611) | (55,611) | 4 |
| 5 | 3D01090 (2000100) | Redirect G/A - Contracted Services to Other Personal Services (OPS) - Deduct Transitions contracted staff to state OPS staff: Workforce Development - \$107,995; Reemployment Assistance - \$7,000,000. Nets to zero with Issue # 3D01080. | | | | | (7,107,995) | (7,107,995) | 5 |
| 6 | 3D01080 (2000200) | Redirect G/A - Contracted Services to Other Personal Services (OPS) - Add Companion issue to Issue # 3D01090 - nets to zero. | | | | | 7,107,995 | 7,107,995 | 6 |
| 7 | 3D0XXXX | Redirect Base Budget Funding for Other Priority Issues | | | | (18,500,000) | (18,500,000) | (18,500,000) | 7 |
| 8 | 3000100 | Operations Increase in the Division of Strategic Business Development Provides three additional positions, salary rate and associated budget authority to increase the capacity of the division's application review and due diligence, contract negotiation and contract monitoring processes. | | | | | | | 8 |
| 9 | 3200300 | Workforce Services Program Reductions Eliminates budget authority that is no longer supported by federal funds provided to administer Florida's Reemployment Assistance Program. | | | | | (4,000,000) | (4,000,000) | 9 |
| 10 | 33V0070 | Reemployment Assistance Reductions Eliminates budget authority that is no longer supported by federal funds provided to administer Florida's Reemployment Assistance Program. Positions being eliminated are vacant. | (74.50) | | | | (7,225,000) | (7,225,000) | 10 |
| 11 | 33V0080 | CareerSource Florida Reductions Eliminates budget authority that is no longer supported by federal funds provided to administer Florida's Reemployment Assistance Program. Positions being eliminated will be vacant by July 1, 2016. | (3.00) | | | | (650,000) | (650,000) | 11 |
| 12 | 33V1100 | Reemployment Assistance Appeals Commission Reductions Eliminates budget authority that is no longer supported by federal funds provided to administer Florida's Reemployment Assistance Program. Positions being eliminated are vacant. | (3.50) | | | | (225,000) | (225,000) | 12 |
| 13 | 3400030 | Fund Source Realignment - Deduct Eliminates general revenue funds appropriated in the base budget and restores budget authority with available state trust funds: Executive Leadership - \$483,212; Finance and Administration - \$3,789; Housing and Community Development - \$2,432,904; and Strategic Business Development - \$18,500,000. | | (21,419,905) | | | | (21,419,905) | 13 |
| 14 | 3400040 | Fund Source Realignment - Add Companion issue to Issue # 3400030 - nets to zero. | | | | 18,500,000 | 21,419,905 | 21,419,905 | 14 |
| 15 | 3402200 | Quick Response Training Fund Realignment - Deduct Changes the fund source for the base budget appropriation for the QRT program from "P&I" state trust funds to the SEED Trust Fund. Nets to zero with Issue # 3402300. | | | | | (9,000,000) | (9,000,000) | 15 |
| 16 | 3402300 | Quick Response Training Fund Realignment - Add Companion issue to Issue # 3402200 - nets to zero. | | | | 9,000,000 | 9,000,000 | 9,000,000 | 16 |
| 17 | 3403500 | Reemployment Assistance - Fraud Investigation Unit - Deduct Changes the funding source for six positions in the Reemployment Assistance Program from the federal Employment Security Administration Trust Fund to the state "P & I" trust fund. Federal funds are no longer available to support the positions and the department requests state funds to establish a Fraud Investigation Unit, including three sworn law enforcement officers. Budget authority nets to zero with Issue # 3403000. | | | | | (286,376) | (286,376) | 17 |
| 18 | 3403000 | Reemployment Assistance - Fraud Investigation Unit - Add Companion issue to Issue # 3403500 - budget authority nets to zero. | 4.00 | | | | 286,376 | 286,376 | 18 |
| 19 | 3404500 | Reemployment Assistance - Program Funding Shift - Deduct Eliminates budget authority that is no longer supported by federal funds provided to administer Florida's Reemployment Assistance program and provides recurring budget authority in a state trust fund to cover projected expenditures. Nets to zero with Issue # 3404000. | | | | | | | 19 |
| 20 | 3404000 | Reemployment Assistance - Program Funding Shift - Add Companion to Issue # 3404500 - nets to zero. | | | | | | | 20 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|---|--------|-------------|------------|------------|-------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 21 | 36202C0 | Information Technology Security and Fraud Detection Tools Provides recurring and nonrecurring trust fund authority to purchase information technology security tools: a Security Information and Event Management (SIEM) system that will monitor, track and report on activity that occurs on agency network infrastructure; and an Intrusion Prevention System (IPS) that will alert network security staff to breaches of network resources. | | | - | | 826,265 | 826,265 | 21 |
| 22 | 36220C0 | Network Penetration Testing Provides nonrecurring trust fund authority to contract for services to evaluate internal and external technical security controls. | | | - | | 250,000 | 250,000 | 22 |
| 23 | 36303C0 | Reemployment Assistance Claimant Services Enhancement Department's LBR provides nonrecurring "P & I" state trust funds for an assessment of the Call Center System's (CSS) functionality and supporting program practices, additional functionality for the CCS including software, hardware and professional services, and improvements to existing CCS functionality. | | | - | | - | - | 23 |
| 24 | 4200200 | Enterprise Florida, Inc. - Flexible Funding for Economic Development Tools Department's LBR provides funding to make payments upon verification of performance for five of the six economic development programs (QTI, QDSC, HIPI, etc.). The department's LBR also provides up-front funding for Quick Action Closing (QAC) project obligations. Governor's Recommendation does not include up-front funding for QAC project obligations and is in addition to \$10 million of general revenue funds in the base budget, for a total of \$38 million for non-QAC economic development payments. | | | - | | - | - | 24 |
| 25 | 4200210 | Quick Action Closing Fund Incentive Program Governor's Recommendation creates a new trust fund, the Florida Enterprise Trust Fund, and provides up-front funding for QAC project obligations for the next three years. The revenue sources for the new trust fund are comprised of \$180 million of nonrecurring general revenue funds and \$70 million of nonrecurring SEED trust funds. | | | - | | - | - | 25 |
| 26 | 4200220 | Florida Enterprise Fund Funding is contingent on passage of CS/SB 1646 or similar legislation becoming law. \$100 million of the nonrecurring general revenue funds is contingent on receipt of funds related to the Deepwater Horizon oil spill. | | | 180,000,000 | 70,000,000 | 70,000,000 | 250,000,000 | 26 |
| 27 | 4200410 | Continue Florida Export Diversification and Expansion Programs Provides recurring SEED trust funds to EFI to continue two export diversification and expansion programs: the Target Sector Trades Grants program and the Export Marketing Plan program. This issue maintains the amount appropriated in FY 2015-16 with nonrecurring Int'l Trade and Promotion trust funds. | | | - | | 1,000,000 | 1,000,000 | 27 |
| 28 | 4200420 | Establish and Market a Statewide Business Brand for Florida Restores the nonrecurring funding provided in FY 2015-16 to continue marketing EFI's business brand. This recurring funding is in addition to \$8.5 million of general revenue funds in the base budget provided for this purpose. | | | - | | - | - | 28 |
| 29 | 4300100 | VISIT FLORIDA - Increase Current Funding Level Governor's Recommendation provides an additional \$30 million of nonrecurring state trust funds for VISIT FLORIDA, for a total of \$80 million. This is a \$6 million increase from funding provided in FY 2015-16. | | | - | | - | - | 29 |
| 30 | 4300200 | VISIT FLORIDA - Maintain Current Funding Level Provides \$24 million of nonrecurring state trust funds above the base budget to maintain VISIT FLORIDA's funding at the FY 2015-16 level - \$74 million. | | | - | 20,000,000 | 24,000,000 | 24,000,000 | 30 |
| 31 | 4300300 | VISIT FLORIDA - Promote and Market Entertainment Industry Productions Provides \$6 million of nonrecurring state trust funds for VISIT FLORIDA to promote and market entertainment industry productions that are filmed in Florida and promote this state as a tourist destination or a destination for film and entertainment productions. | | | - | 6,000,000 | 6,000,000 | 6,000,000 | 31 |
| 32 | 4400100 | Space Florida - Maintain Current Funding Level Provides nonrecurring SEED trust funds to maintain Space Florida's funding at the FY 2015-16 level - \$12.5 million. | | | - | 6,000,000 | 6,000,000 | 6,000,000 | 32 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|--|--------------------------------------|--------|-----------|-----------|-----------|-----------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 33 | 4400110 | Space Florida - Financing Program for Aerospace Industry Department's LBR provides nonrecurring SEED trust funds for aerospace industry financing, business development and infrastructure needs. This is a \$500,000 increase over the \$6.5 million appropriated in FY 2015-16 - \$1.5 million of that appropriation was vetoed. Governor's Recommendation provides \$5 million of nonrecurring SEED trust funds: \$2.5 million to promote Florida as a space business destination and \$2.5 million for the Shuttle Landing Facility. | | | | | | | 33 |
| 34 | 4500100 | Continue Funding to Support the Institute for the Commercialization of Public Research Department's LBR provides an additional \$5.5 million of SEED trust funds, above the \$1 million in the base budget, for the institute total of \$6.5 million. This issue continues the FY 2015-16 funding for the institute's on-going operations at \$1.5 million and provides \$5 million of nonrecurring SEED trust funds (an increase of \$1 million from FY 2015-16) for seed stage funds to be allocated by the institute. | | | | 5,500,000 | 5,500,000 | 5,500,000 | 34 |
| 35 | 4600000 | Economic Development Projects and Initiatives | | | | | | | 35 |
| 36 | | <i>MAF Center for Advanced Manufacturing Excellence, Inc. - FloridaMakes</i> | | | | 500,000 | 500,000 | 500,000 | 36 |
| 37 | | <i>All Children's Research Zone</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 37 |
| 38 | | <i>Collier County Immokalee/Naples Business Accelerator Program</i> | | | | 2,000,000 | 2,000,000 | 2,000,000 | 38 |
| 39 | | <i>Florida Atlantic University Tech Runway</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 39 |
| 40 | | <i>International Consortium for Advanced Manufacturing Research</i> | | | 1,000,000 | 2,500,000 | 2,500,000 | 3,500,000 | 40 |
| 41 | | <i>FIU Small Business Development Center</i> | | | | 500,000 | 500,000 | 500,000 | 41 |
| 42 | | <i>Hispanic Business Initiative Fund Outreach Program</i> | | | | 725,000 | 725,000 | 725,000 | 42 |
| 43 | | <i>Scripps Florida Biotech Partnership</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 43 |
| 44 | | <i>City of South Bay - Park of Commerce</i> | | | | 470,900 | 470,900 | 470,900 | 44 |
| 45 | | <i>Tampa Innovation Alliance</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 45 |
| 46 | | <i>Modern Pentathlon</i> | | | | | 250,000 | 250,000 | 46 |
| 47 | | <i>Enterprise Florida - Africa Trade Expansion Program</i> | | | | | 259,500 | 259,500 | 47 |
| 48 | | <i>Urban League of Broward County</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 48 |
| 49 | | <i>The Idea Center at Miami Dade College</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 49 |
| 50 | | <i>Tallahassee International Airport</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 50 |
| 51 | | <i>City of Surfside - Business Environment Improvement Plan</i> | | | | 150,000 | 150,000 | 150,000 | 51 |
| 52 | | <i>Bethune Cookman University College of Business</i> | | | | 500,000 | 500,000 | 500,000 | 52 |
| 53 | 6100300 | Increase Funding for Technical Planning and Assistance Provides additional state trust funds (funded with doc stamp revenues) to continue to provide technical assistance to Florida communities to promote economic development initiatives and implement growth management requirements. These funds have also been used to create and implement the Competitive Florida Partnership Program. This funding is in addition to \$500,000 provided in the base budget for a total of \$1.6 million - the amount appropriated in FY 2015-16. | | | | | 1,300,000 | 1,300,000 | 53 |
| 54 | 6100420 | Technical Planning and Assistance Action Items Provides \$1.2 million of recurring SEED trust funds to implement vetted projects that will spur economic development in communities that have developed strategies through the Competitive Florida Partnership Program. | | | | | 1,000,000 | 1,000,000 | 54 |
| 55 | 6200110 | MAF Center for Advanced Manufacturing Excellence, Inc. - FloridaMakes Governor's Recommendation provides \$500,000 of nonrecurring SEED trust funds for the state match to the annual federal grant received from the National Institute for Science and Technology (NIST) for Florida's Manufacturing Extension Partnership Center. This organization received \$400,000 for this purpose in FY 2015-16. | See line # 35A | | | | | | 55 |
| 56 | 6400100 | Housing and Community Development Projects | | | | | | | 56 |
| 57 | | <i>Glades County Regional Training Center</i> | | | 1,000,000 | | | 1,000,000 | 57 |
| 58 | | <i>DeSoto County Public Safety Building</i> | | | 750,000 | | | 750,000 | 58 |
| 59 | | <i>Nathan Benderson Park</i> | | | 2,000,000 | | | 2,000,000 | 59 |
| 60 | | <i>City of Bradenton Tournament Sports Park</i> | | | 1,000,000 | | | 1,000,000 | 60 |
| 61 | | <i>Miami Design District - Public Infrastructure Projects</i> | | | 1,000,000 | | | 1,000,000 | 61 |
| 62 | | <i>City of Milton - Riverwalk South</i> | | | | 198,048 | 198,048 | 198,048 | 62 |
| 63 | | <i>Florida Dream Center - Boys Safe Home</i> | | | | 250,000 | 250,000 | 250,000 | 63 |
| 64 | | <i>East County Service Center - Hillsborough</i> | | | | 250,000 | 250,000 | 250,000 | 64 |
| 65 | | <i>Sulzbacher Center for Women and Families</i> | | | | | 1,000,000 | 1,000,000 | 65 |
| 66 | | <i>Tallahassee Regional Hazardous Materials Response Team Equipment</i> | | | | 495,000 | 495,000 | 495,000 | 66 |
| 67 | | <i>Veterans Home Renovation - Pembroke Pines</i> | | | | 150,000 | 150,000 | 150,000 | 67 |
| 68 | | <i>Brevard County Emergency Operations and Communications Center</i> | | | | 1,000,000 | 1,000,000 | 1,000,000 | 68 |
| 69 | | <i>Sirenia Vista Park Environmental Center</i> | | | | 200,000 | 200,000 | 200,000 | 69 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|--------------------------------------|--------|-----------|-----------|-------------|-------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 70 | | <i>Palm Harbor Marine Rescue Boat</i> | | - | | 100,000 | 100,000 | 100,000 | 70 |
| 71 | | <i>Lake Okeechobee Wave Attenuation Project</i> | | - | | 1,200,000 | 1,200,000 | 1,200,000 | 71 |
| 72 | | <i>Deerfield Beach African-American Memorial Park</i> | | - | | 750,000 | 750,000 | 750,000 | 72 |
| 73 | | <i>Veterans Memorial Park - Hillsborough County</i> | | - | | 1,500,000 | 1,500,000 | 1,500,000 | 73 |
| 74 | | <i>City of Coral Springs Aquatic Complex Pool Refurbishment</i> | | - | | 500,000 | 500,000 | 500,000 | 74 |
| 75 | | <i>City of Port St. Lucie - Extension of the Riverwalk Boardwalk</i> | | - | | 250,000 | 250,000 | 250,000 | 75 |
| 76 | | <i>Brevard Zoo</i> | | - | | 1,000,000 | 1,000,000 | 1,000,000 | 76 |
| 77 | | <i>Ludlam Redevelopment Project</i> | | - | | 1,000,000 | 1,000,000 | 1,000,000 | 77 |
| 78 | | <i>Madeira Beach Lighting Project</i> | | - | | 350,000 | 350,000 | 350,000 | 78 |
| 79 | | <i>Miracle Mile and Giralda Reconstruction and Economic Development Project</i> | | - | | 1,000,000 | 1,000,000 | 1,000,000 | 79 |
| 80 | | <i>Volusia County Marine Science Center Expansion</i> | | - | | 1,150,000 | 1,150,000 | 1,150,000 | 80 |
| 81 | | <i>Hungerford Amphitheater - Eatonville</i> | | - | | 1,000,000 | 1,000,000 | 1,000,000 | 81 |
| 82 | | <i>NeighborWorks Florida Collaborative</i> | | - | | 1,500,000 | 1,500,000 | 1,500,000 | 82 |
| 83 | | <i>City of Ft. Lauderdale - Rapid ReHousing Project</i> | | - | | 800,000 | 800,000 | 800,000 | 83 |
| 84 | | <i>Hillsborough Homelessness Initiative</i> | | - | | 800,000 | 800,000 | 800,000 | 84 |
| 85 | | <i>Clearwater Homeless Emergency Project</i> | | - | | 400,000 | 400,000 | 400,000 | 85 |
| 86 | | <i>Pahokee Marina Enhancements - Palm Beach County</i> | | - | 1,000,000 | | - | 1,000,000 | 86 |
| 87 | | <i>Baywalk - Miami Downtown Development Authority</i> | | - | 400,000 | | - | 400,000 | 87 |
| 88 | | <i>Village of Miami Shores - Electric Car Charging Station</i> | | - | 33,600 | | - | 33,600 | 88 |
| 89 | | <i>Lauderdale Lakes - Comprehensive Park Improvement Project</i> | | - | 250,000 | | - | 250,000 | 89 |
| 90 | | <i>Orange Blossom Revitalization Project</i> | | - | 500,000 | | - | 500,000 | 90 |
| 91 | | <i>Riverwalk Boardwalk and Westmoreland River Park Extension Design</i> | | - | 250,000 | | - | 250,000 | 91 |
| 92 | | <i>Historic Hampton - Land Restoration</i> | | - | 300,000 | | - | 300,000 | 92 |
| 93 | | <i>Elderly Housing Assistance Program - City of North Miami</i> | | - | 200,000 | | - | 200,000 | 93 |
| 94 | | <i>McTyre Oak Cultural Center - City of West Park</i> | | - | 250,000 | | - | 250,000 | 94 |
| 95 | | <i>Washington Park Security Upgrades - City of Hollywood</i> | | - | 50,000 | | - | 50,000 | 95 |
| 96 | | <i>Washington Park Street Light Improvements - City of Hollywood</i> | | - | 150,000 | | - | 150,000 | 96 |
| 97 | | <i>City of North Lauderdale - Energy Efficient Street Lights</i> | | - | 100,000 | | - | 100,000 | 97 |
| 98 | | <i>City of Lauderdale Lakes - Sidewalk Repairs and Replacement</i> | | - | 100,000 | | - | 100,000 | 98 |
| 99 | | <i>Bergeron Rodeo Arena Refurbishment - Town of Davie</i> | | - | 100,000 | | - | 100,000 | 99 |
| 100 | | <i>Chain of Lakes Blueway Access Project</i> | | - | | 286,900 | 286,900 | 286,900 | 100 |
| 101 | 6400110 | Building Homes for Heroes Governor's Recommendation includes \$1 million of nonrecurring SEED trust funds for Building Homes for Heroes to continue to build and modify homes for veterans who have been severely injured. This organization received \$1 million for this purpose in FY 2015-16. | | - | | | - | | 101 |
| 102 | 6507400 | Affordable Housing Programs Provides budget authority, in addition to the \$10 million provided in the base budget, to spend all available funds in the State Housing Trust Fund for the following programs: State Incentive Apartment Loan (SAIL) Program, Homeownership Assistance Program (HAP), Predevelopment Loan Program (PLP), and the Florida Affordable Housing Guarantee Program. | | - | | | 121,200,000 | 121,200,000 | 102 |
| 103 | 6507600 | State Housing Initiatives Partnership (SHIP) Program Department's LBR provides budget authority, in addition to the \$4 million provided in the base budget, to spend all available funds in the Local Government Housing Trust Fund (LGHTF) for the State Housing Initiatives Partnership (SHIP) program. Governor's Recommendation provides an additional \$30 million, for a total of \$34 million, for the SHIP Program. The Governor's Recommendation transfers \$172 million from the LGHTF to the General Revenue Fund. | | - | | | 181,800,000 | 181,800,000 | 103 |
| 104 | 7000020 | Strategic Business Development Litigation - Provide Funding to Contract with Outside Legal Counsel Provides nonrecurring state trust funds (SEED, Tourism Promotional, and International Trade and Promotion trust funds) to contract for outside legal assistance for litigation related to the repayment of economic development incentive funds paid to Digital Domain. | | - | | 160,000 | 200,000 | 200,000 | 104 |
| 105 | 7000040 | Executive Direction and Support Services - Provide Additional Funding for Operations Provides nonrecurring state trust funds in the G/A - Contracted Services appropriation category to cover on-going litigation expenses in addition to other contractual services obligations. | | - | | | 100,000 | 100,000 | 105 |
| 106 | 8000100 | Workforce Development Projects | | - | | | - | - | 106 |
| 107 | | <i>Home Builders Institute (PACT)</i> | | - | | 500,000 | 500,000 | 500,000 | 107 |
| 108 | | <i>Goodwill Manasota</i> | | - | | 600,000 | 600,000 | 600,000 | 108 |
| 109 | | <i>Louise Graham Regeneration Center - Pinellas County</i> | | - | | | 279,233 | 279,233 | 109 |
| 110 | | <i>JARC Transition Pre-Employment Training Program</i> | | - | 180,000 | | - | 180,000 | 110 |
| 111 | | <i>Florida Ready to Work</i> | | - | 1,000,000 | | - | 1,000,000 | 111 |
| 112 | | <i>United Way of NE Florida - Financial Literacy and Prosperity Program</i> | | - | | | 1,000,000 | 1,000,000 | 112 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|--|--|---|----------|--------------------|--------------------|----------------------|----------------------|-----------|
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| 113 | | <i>First Coast Maritime Academy</i> | | | 364,200 | | | 364,200 | 113 |
| 114 | | <i>Florida Goodwill Association</i> | | | | | 600,000 | 600,000 | 114 |
| 115 | | <i>Eco-Tech Job Training Program</i> | | | | 250,000 | 250,000 | 250,000 | 115 |
| 116 | | <i>PARC - Project SEARCH Initiative</i> | | | 171,000 | | | 171,000 | 116 |
| 117 | 8100100 | Quick Response Training (QRT) Program - Maintain Current Funding Level Provides additional SEED trust funds to maintain the funding for the QRT Program at the amount appropriated in FY 2015-16 (\$12 million) . | | | | 3,000,000 | 3,000,000 | 3,000,000 | 117 |
| 118 | 8100110 | Increase Quick Response Training Program Governor's Recommendation provides an additional \$6 million of SEED trust funds for the QRT Program, for a total of \$15 million (including the \$9 million of "P & I" funds in the base budget). <i>The Governor's Recommendation also includes an additional \$3 million in SEED trust funds for the QRT Program in FY 2015-16.</i> | | | | 3,000,000 | 3,000,000 | 3,000,000 | 118 |
| 119 | 8100160 | Quick Response Training - Transfer Marketing and Promotional Activities Between Appropriation Categories - Add Transfers \$100,000 of SEED trust funds provided to CareerSource Florida to market the QRT Program to a more appropriate category. Nets to zero with Issue # 8100170. | | | | 100,000 | 100,000 | 100,000 | 119 |
| 120 | 8100170 | Quick Response Training - Transfer Marketing and Promotional Activities Between Appropriation Categories - Deduct Companion issue to Issue # 8100160 - nets to zero. | | | | (100,000) | (100,000) | (100,000) | 120 |
| 121 | 8100500 | Supplemental Nutrition Assistance Program (SNAP) Provides recurring general revenue funds and recurring "P & I" state trust funds in the G/A - Contracted Services appropriation category to meet the projected federal match requirements for the SNAP Employment and Training Program. Effective January 1, 2016, the statewide waiver for Able Bodied Adults without Dependents (ABAWDs) ended. All non-exempt ABAWDs will be required to participate in work or work activities in order to continue to receive SNAP assistance beyond the federally allowed three-month period. These funds reimburse participants for transportation expenses. | | | | | 6,400,000 | 6,400,000 | 121 |
| 122 | 8100510 | Supplemental Nutrition Assistance Program (SNAP) - Deduct Transfers funds appropriated in the G/A - Contracted Services category for transportation reimbursements provided to participants in the SNAP Employment and Training Program to a new category titled "G/A - SNAP" to improve transparency. Nets to zero with Issue # 8100520. | | | | | (12,600,000) | (12,600,000) | 122 |
| 123 | 8100520 | Supplemental Nutrition Assistance Program (SNAP) - Add Companion issue to Issue # 8100510 - nets to zero. | | | | | 12,600,000 | 12,600,000 | 123 |
| 124 | 8100860 | Reemployment Assistance - Fraud Detection and Prevention Provides recurring state "P & I" trust funds to expand services provided for fraud prevention and detection. The funds will be used to enhance tools to detect and prevent fraudulent claims and retain current contracted staff so scheduled enhancements can be completed on time. | | | | | 1,000,000 | 1,000,000 | 124 |
| 125 | 8100870 | Reemployment Assistance - Enhanced Authentication and Verification Provides \$800,000 of recurring and \$50,000 of nonrecurring state "P & I" trust funds to implement an enhanced authentication and verification process to help prevent identity theft by requiring claimants to report to locations across the state to verify their identity if their claim triggers a temporary block. | | | | | 550,000 | 550,000 | 125 |
| 126 | 990M000 | Maintenance and Repair | | | | | | | 126 |
| 127 | 080903 | Reed Act Projects - Statewide Department's LBR provides nonrecurring funds for needed maintenance and repair projects at department-owned buildings. Projects that the department has prioritized for Fiscal Year 2016-17 include: Replace heating, ventilation and air conditioning units (6 units that have reached or exceeded their life expectancy) - \$207,000; Upgrade, install and replace security access control systems statewide - \$185,000; Carpet removal, asbestos abatement and installation of new carpet in Jacksonville - \$102,000; and landscaping to improve security at department-owned buildings - \$130,000. Governor's Recommendation does not include funding for landscaping. | | | | | 494,000 | 494,000 | 127 |
| 128 | TOTAL ECONOMIC OPPORTUNITY | | 1,537.50 | - | 192,148,800 | 212,115,862 | 1,243,411,535 | 1,435,560,335 | 128 |
| 129 | | | | | | | | | 129 |
| 130 | HIGHWAY SAFETY AND MOTOR VEHICLES | | | | | | | | 130 |
| 131 | 1100001 | BASE BUDGET - OPERATING | 4,414.00 | - | | | 429,056,959 | 429,056,959 | 131 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|---|--------|-------|---------|-----------|-----------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 132 | 160F110 | Motorist Services Program - Transfer Funding from Salaries and Benefits to Contracted Services - Deduct Continuation of a current year budget transfer (EOG 2016-B7118) to cover verification of lawful status (VLS) fees. Nets to zero with Issue # 160F120. | | | - | | (250,000) | (250,000) | 132 |
| 133 | 160F120 | Motorist Services Program - Transfer Funding from Salaries and Benefits to Contracted Services - Add Companion issue to Issue # 160F110 - nets to zero. | | | - | | 250,000 | 250,000 | 133 |
| 134 | 160F130 | Florida Highway Patrol - Transfer Funding from Salaries and Benefits to Expenses - Deduct Continuation of a current year budget transfer (EOG 2016-B7127) to fully cover replacement costs of ballistic vests. Nets to zero with Issue # 160F140. | | | - | | (110,758) | (110,758) | 134 |
| 135 | 160F140 | Florida Highway Patrol - Transfer Funding from Salaries and Benefits to Expenses - Add Companion issue to Issue #160F130 - nets to zero. | | | - | | 110,758 | 110,758 | 135 |
| 136 | 2000260 | Realign Other Personal Services (OPS) - Deduct Realigns (OPS) budget authority between budget entities within the Florida Highway Patrol (FHP) program to address workload needs for the federal New Entrant Safety Assurance Grant Program (program that conducts safety audits and provides training to new commercial motor vehicle carriers to increase awareness of federal regulations). Nets to zero with Issue # 2000270. | | | - | | (40,000) | (40,000) | 136 |
| 137 | 2000270 | Realign Other Personal Services - Add Companion issue to Issue # 2000260 - nets to zero. | | | - | | 40,000 | 40,000 | 137 |
| 138 | 2005020 | Realign Expenditures within the Florida Highway Patrol Program - Deduct Realigns budget authority between appropriation categories in the FHP budget entity to support the annual maintenance costs for over 1,000 digital in-car video cameras and 28 servers statewide. Realigns budget authority between trust funds for payments of death and dismemberment claims. Nets to zero with Issue # 2005030. | | | - | | (812,378) | (812,378) | 138 |
| 139 | 2005030 | Realign Existing Budget within the Florida Highway Patrol Program - Add Companion issue to Issue # 2005020 - nets to zero. | | | - | | 812,378 | 812,378 | 139 |
| 140 | 2401520 | Replacement of Pursuit Vehicles with 100,000 Miles for the Florida Highway Patrol Provides <i>recurring</i> state trust funds to replace 20% of the FHP's pursuit vehicles each year (421 vehicles annually) and nonrecurring funding to replace up to 28 vehicles that are unsalvageable due to traffic crashes and disaster events. | | | - | | 8,893,857 | 8,893,857 | 140 |
| 141 | 2401530 | Replacement of Non-Pursuit Vehicles Per Department of Management Services Criteria Provides recurring state trust funds to annually replace approximately 14 non-pursuit vehicles that meet the DMS replacement criteria (vehicle is over 12 years old or has been driven over 120,000 miles). | See line #91 | | - | | | | 141 |
| 142 | 2503080 | Direct Billing for Administrative Hearings Statewide Issue to adjust the base budget for the department's FY 2016-17 payment to the Division of Administrative Hearings (DOAH). The allocated share is based on the actual number of hearing hours used by the department in FY 2014-15. | | | - | | 83,800 | 83,800 | 142 |
| 143 | 30011C0 | Decreased Workload for Data Center to Support an Agency | | | - | | (409) | (409) | 143 |
| 144 | 3007500 | Motorcycle Safety Education Program | | | - | | 300,000 | 300,000 | 144 |
| 145 | 3008200 | Provide Increased Funding for Additional License Plate Purchases Provides nonrecurring state trust funds to replace license plates that have reached the end of the ten-year life cycle. In FY 2009-10, the department converted from a 6-year to a 10-year license plate renewal cycle; FY 2016-17 is the third full year of the new replacement cycle. | | | - | | 3,595,000 | 3,595,000 | 145 |
| 146 | 3008400 | Increase Trust Fund Budget Authority to Cover Operating Expenses | | | - | | 1,600,000 | 1,600,000 | 146 |
| 147 | 3D00400 | Reduce Printing Costs for Traffic Crash/Driver Exchange Information to Address Other Personal Services Needs - Deduct Redirects recurring state trust funds within the Motorist Services budget entity that are no longer needed to print crash report forms (which are now primarily electronic) to address OPS workload needs in the Bureau of Records. Nets to zero with Issue # 3D00300. | | | - | | 50,000 | 50,000 | 147 |
| 148 | 3D00300 | Reduce Printing Costs for Traffic Crash/Driver Exchange Information to Address Other Personal Services Needs - Add Companion issue to Issue # 3D00400. | | | - | | (50,000) | (50,000) | 148 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|---|-------------------|----------|----------|--------------------|--------------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 149 | 3D04400 | Realign Operation of Motor Vehicle Funding to Provide Recurring Acquisition of Motor Vehicle Base - Deduct Redirects recurring state trust funds that are no longer needed to operate and maintain vehicles in the FHP's Fleet Maintenance Program to annually replace non-pursuit vehicles in the department (see Issue # 2401530). Nets to zero with Issue # 3D04410. | | | - | | 250,000 | 250,000 | 149 |
| 150 | 3D04410 | Realign Operation of Motor Vehicle Funding to Provide Recurring Acquisition of Motor Vehicle Base - Add Companion issue to Issue # 3D04400 - nets to zero. | | | - | | (250,000) | (250,000) | 150 |
| 151 | 3D05510 | Realign Other Personal Services for Hireback Activities for Operational Efficiencies within Information Systems Administration - Deduct Redirects recurring state trust funds that are no longer needed for the Overtime Hireback Program to address on-going contractual services needs in the Information Services Administration budget entity. Nets to zero with Issue # 3D05500. | | | - | | 1,000,000 | 1,000,000 | 151 |
| 152 | 3D05500 | Realign Other Personal Services for Hireback Activities for Operational Efficiencies within Information Systems Administration - Add Companion issue to Issue # 3D05510 - nets to zero. | | | - | | (1,000,000) | (1,000,000) | 152 |
| 153 | 3M00000 | Eliminate Double Budget Funding Removes an obsolete transfer between trust funds within the Highway Safety budget entity. | | | - | | (325,995) | (325,995) | 153 |
| 154 | 36046C0 | Enterprise Data Infrastructure Provides funds to replace the department's enterprise data infrastructure which has reached end of life and is now vulnerable to security issues and overall system failure. | | | - | | 6,563,775 | 6,563,775 | 154 |
| 155 | 36115C0 | Motorist Modernization Phase I Provides funds to continue the Motorist Modernization Phase I project that will replace the current Motorist Services driver credentialing systems. | | | - | | 8,749,351 | 8,749,351 | 155 |
| 156 | 36117C0 | Cyber-Security Threat Monitoring and Response Provides funds to procure and implement new cyber-security threat monitoring and response tools. | | | - | | 705,561 | 705,561 | 156 |
| 157 | 36246C0 | Increased Communications Circuit Costs Provides funds to improve the department's statewide network to provide timely access to information for the FHP, the tax collectors and driver license and motor vehicle issuance services. | | | - | | 297,249 | 297,249 | 157 |
| 158 | 990M000 | Maintenance and Repair | | | - | | - | - | 158 |
| 159 | 080016 | Special Projects and Improvements - Administrative Services Provides nonrecurring fixed capital outlay (FCO) funds for renovations, repairs and improvements to the Neil Kirkman building in Tallahassee and facilities statewide. | | | - | | 3,740,000 | 3,740,000 | 159 |
| 160 | 083643 | Maintenance, Repairs and Construction - Statewide Provides nonrecurring FCO funds for roofing (Lantana and Pembroke Pines), ADA restrooms (Ocala and Opa Locka), ADA site assessment surveys and accessibility improvements (Pembroke Pines) and hurricane impact windows and doors (Opa Locka). The department's amended LBR provides nonrecurring FCO funds for major interior and exterior renovations at a state-owned facility in Lantana. | | | - | | 1,339,652 | 1,339,652 | 160 |
| 161 | 990S000 | Special Purpose | | | - | | - | - | 161 |
| 162 | 083644 | FHP Academy Driving Range Provides nonrecurring FCO funds to construct a new advanced driving range for the FHP Training Academy at the Florida Public Safety institute. | | | - | | 2,800,000 | 2,800,000 | 162 |
| 163 | TOTAL | HIGHWAY SAFETY AND MOTOR VEHICLES | 4,414.00 | - | - | - | 467,398,800 | 467,398,800 | 163 |
| 164 | | | | | | | | | 164 |
| 165 | | MILITARY AFFAIRS | | | | | | | 165 |
| 166 | 1100001 | BASE BUDGET - OPERATING | 458.00 | 18,426,602 | | | 43,110,719 | 61,537,321 | 166 |
| 167 | 160E470 | Realignment of Agency Spending Authority for Data Center Billing - Deduct Transfers funds from the expense category to AST - Southwood for annual expenses incurred. See companion issue 160E480. | | | (24,820) | | | (24,820) | 167 |
| 168 | 160E480 | Realignment of Agency Spending Authority for Data Center Billing - Add Companion to issue 160E470. Nets to zero. | | 24,820 | | | | 24,820 | 168 |
| 169 | 160S510 | Funding Source Corrections - Deduct Provides for a technical correction needed to reflect funds provided by the Federal Government and not State funds to match Federal contributions. See companion issue 160S520. | | | - | | (400,000) | (400,000) | 169 |
| 170 | 160S520 | Funding Source Corrections - Add Companion to issue 160S510. Nets to zero. | | | - | | 400,000 | 400,000 | 170 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | | |
|------|---------------------|--|---|-------------------|------------------|---------|-------------------|-------------------|-------------------|-----|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS | |
| 171 | 2000100 | Realignment of Expenditures - Deduct Transfers \$80,000 from the National Guard Tuition Assistance category to support the operation and maintenance of the software database created in FY 2015-2016. Transfers \$300,000 from the Youth Challenge contracted services category to the expenses category to more accurately align with anticipated expenditures. See companion issue 2000200. | | (380,000) | | | - | (380,000) | 171 | |
| 172 | 2000200 | Realignment of Expenditures - Add Companion to issue 2000100. Nets to zero. | | 380,000 | | | - | 380,000 | 172 | |
| 173 | 2000110 | Realign Authority Between Budget Entities - Deduct Provides for a technical change - corrects the budget entity. See companion issue 2000210. | | - | | | (127) | (127) | 173 | |
| 174 | 2000210 | Realign Authority Between Budget Entities - Add Companion to issue 2000110. Nets to zero. | | - | | | 127 | 127 | 174 | |
| 175 | 2000130 | Realign Authority to Another Category - Deduct Transfer funds from the contracted services category to food products category for the Youth Challenge Academy. See companion issue 2000230. | | - | | | (50,000) | (50,000) | 175 | |
| 176 | 2000230 | Realign Authority to Another Category - Add Companion to issue 2000130. Nets to zero. | | - | | | 50,000 | 50,000 | 176 | |
| 177 | 24010C0 | Information Technology Infrastructure Replacement Provides software and hardware to support the federal cooperative agreements and the Youth Challenge Academy. | | - | | | 152,700 | 152,700 | 177 | |
| 178 | 2402010 | Additional Equipment - Camp Blanding Provides equipment to support the training mission at Camp Blanding. | | - | | | 341,950 | 341,950 | 178 | |
| 179 | 2402110 | Additional Equipment - Cooperative Agreement Program Support Provides equipment to support the federal cooperative agreements. | | - | | | 489,270 | 489,270 | 179 | |
| 180 | 33V1620 | Vacant Position Reductions Provides for the reduction of 3 FTE positions which have been vacant over ninety days due to lack of federal funding and 2 FTE positions which have been converted to Federal Civil Service. | (5.00) | - | | | (205,230) | (205,230) | 180 | |
| 181 | 4200500 | Forward March Program Provides nonrecurring funding to continue the Forward March Program which provides job-readiness services at selected armories around the state for Working to Achieve Growth in Employment Skills (WAGES) recipients and other qualifying young adults, ages 18 to 21. | | 750,000 | | | - | 750,000 | 181 | |
| 182 | 4200600 | About Face Program Provides funding for the About Face Programs which supports summer and after-school training and life-preparation skills for economically disadvantaged and at-risk youth ages 13 - 17. | | 1,250,000 | | | - | 1,250,000 | 182 | |
| 183 | 4200900 | National Guard Financial Assistance Provides support to National Guard Members and their immediate families in circumstances of exceptional financial need. | | | 500,000 | | - | 500,000 | 183 | |
| 184 | 4500000 | Worker Compensation For State Active Duty Provides funding to reimburse the Department of Financial Services' Division of Risk Management for worker's compensation payments made to members of the Florida National Guard who were injured or disabled while on state active duty. | | | 148,338 | | - | 148,338 | 184 | |
| 185 | 5003050 | Minor Repairs to Camp Blanding Structures Provide funds to revitalize facilities which are deteriorating at Camp Blanding Joint Training Center. | | - | | | 200,000 | 200,000 | 185 | |
| 186 | 990M000 | Maintenance And Repair | | - | | | - | - | 186 | |
| 187 | 086937 | Ready Centers Revitalization Plan Provides funding for the two remaining armories on the Armory Renovation Priority List. (West Palm Beach and St. Augustine) | | - | 3,000,000 | | - | 3,000,000 | 187 | |
| 188 | 990S000 | Special Purpose | | - | | | - | - | 188 | |
| 189 | 083643 | Maintenance/Repair/Construction-Statewide Provides nonrecurring funds to maintain and repair armories which have been renovated by the Florida Army Revitalization Program. | | - | - | | - | - | 189 | |
| 190 | 087000 | Facilities Security Enhancement Provides funds used to secure and harden state readiness centers to meet security needs of the future. This is the first year in a four year plan. | | - | 2,000,000 | | - | 2,000,000 | 190 | |
| 191 | TOTAL | MILITARY AFFAIRS | 453.00 | 20,426,602 | 5,648,338 | | - | 44,089,409 | 70,164,349 | 191 |
| 192 | | | | | | | | | | 192 |
| 193 | | STATE | | | | | | | | 193 |
| 194 | 1100001 | BASE BUDGET - OPERATING | 406.00 | 49,921,594 | | | 32,056,549 | 81,978,143 | | 194 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|---|---------|-------|---------|-----------|----------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 195 | 2002030 | Transfer Cultural and Museum Grants from Base to Nonrecurring Funds - Deduct The Governor's Budget recommends the replacement of the \$5 million of recurring General Revenue funding with \$5 million of nonrecurring funding for Cultural and Museum General Support Grants. See companion issue #2002040 which replaces the recurring funding with nonrecurring funding. | | | - | | - | - | 195 |
| 196 | 2002040 | Transfer Cultural and Museum Grants from Base to Nonrecurring Funds - Add Governor's Budget Recommendation companion issue to Issue #2002030 to replace recurring funding for the grant program with nonrecurring funding. | | | - | | - | - | 196 |
| 197 | 3D01100 | Realign Expenses to Operating Capital Outlay (OCO) - Add Transfers \$25,000 of recurring budget authority within the Land Acquisition Trust Fund from the Expenses category to the Operating Capital Outlay category. The OCO will be used to purchase the equipment needed to maintain the historical sites managed by the Division of Historical Resources. Companion issue to Issue #3D01120. | | | - | | 25,000 | 25,000 | 197 |
| 198 | 3D01120 | Realign Expenses to Operating Capital Outlay (OCO) - Deduct Companion issue to Issue #3D01100 - nets to zero. | | | - | | (25,000) | (25,000) | 198 |
| 199 | 3D01130 | Realign Expenses to Contracted Services - Add Transfers \$25,000 of budget authority within the Land Acquisition Trust Fund from the Expenses to the Contracted Services category to provide for security, maintenance, and shipping of artifacts, exhibits, and artist services. See companion issue #3D01140. | | | - | | 25,000 | 25,000 | 199 |
| 200 | 3D01140 | Realign Expenses to Contracted Services - Deduct Companion issue to Issue #3D01130 - nets to zero. | | | - | | (25,000) | (25,000) | 200 |
| 201 | 3DXXX5X | Realign Existing Position Between Budget Entities - Deduct Realigns 1 FTE from the Division of Corporations to the Office of Secretary/Administrative Services budget entity to functionally align the position with the program area it supports in the organizational structure. See companion Issue #3DXXX6X. | (1.00) | | - | | - | - | 201 |
| 202 | 3DXXX6X | Realign Existing Position Between Budget Entities - Add Companion issue to Issue #3DXXX5X above - nets to zero. | 1.00 | | - | | - | - | 202 |
| 203 | 30006C0 | Additional Staff - Information Technology Provides 6 additional positions (FTE) for systems programming, security networking, and desktop support. Funds 2 of the positions from HAVA funds to support the Online Voter Registration System. Funds the other 4 positions from the General Revenue Fund to support the Division of Corporations and other divisions within the department. | 6.00 | 338,535 | | | 180,893 | 519,428 | 203 |
| 204 | 3003140 | Additional Staff for Historical Programs Provides 1 Archaeologist position (FTE) and associated budget authority from the Land Acquisition Trust Fund to provide sufficient staffing resources for the Bureau of Archaeological Research to survey the state's coastline and waterways for prehistoric and historical resources. | 1.00 | | | | 50,834 | 50,834 | 204 |
| 205 | 33V0150 | Staff Reduction - Division of Library and Information Services The Governor's Budget recommends the elimination of 1 FTE funded from the Records Management Trust Fund in the Division of Library and Information Services. This is a vacant position. | (1.00) | | - | | (50,834) | (50,834) | 205 |
| 206 | 3400890 | Help America Vote Act (HAVA) Fund Shift to General Revenue from Federal Grants Trust Fund - Add Fund shifts 8 FTE and related funding from the Federal Grants Trust Fund to the General Revenue Fund. This fund shift represents Year 1 of a multi-year request to gradually transfer all Division of Elections voter registration operations from a trust fund that is projected to be depleted by the year 2021. | | | - | | - | - | 206 |
| 207 | 3400900 | Help America Vote Act (HAVA) Fund Shift from Federal Grants Trust Fund to General Revenue - Deduct Fund shifts portion of Division of Elections staff and operating budget to the General Revenue Fund due to a diminishing Federal Grants Trust Fund balance. | | | - | | - | - | 207 |
| 208 | 3400910 | Fund Shift Positions to Land Acquisition Trust Fund from Federal Grants Trust Fund - Add Fund shifts 2 FTE and related funding in the Division of Cultural Affairs from the Federal Grants Trust Fund to the Land Acquisition Trust Fund. These positions There are no longer federal grant funds to support these positions that stage museum exhibits and artifacts. Companion issue to Issue # 3400920 - nets to zero. | 2.00 | | - | | 79,900 | 79,900 | 208 |

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| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|--------------------------------------|---------|------------|---------|-----------|------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 209 | 3400920 | Fund Shift Positions from Federal Grants Trust Fund to Land Acquisition Trust Fund - Deduct Companion issue to Issue #3400910 - nets to zero. | (2.00) | - | | | (79,900) | (79,900) | 209 |
| 210 | 4100300 | Design Expansion of Archaeological Collection Facility Provides nonrecurring budget authority to contract with an architectural firm to design a Mission San Luis addition for the future expansion of state's archaeological collection. | | - | | | 125,000 | 125,000 | 210 |
| 211 | 4609000 | Support for Federal Election Activities (HAVA) Adds \$2 million nonrecurring allotment of HAVA funds to the \$2 million base budget bringing distributions to county supervisors of elections to \$4 million to help administer the 2016 Primary and General Elections. | | - | | | 2,000,000 | 2,000,000 | 211 |
| 212 | 4800100 | Department-wide Litigation Expenses Provides nonrecurring General Revenue funds to acquire legal representation for lawsuits related to elections and other department litigation. | | - | 500,000 | | - | 500,000 | 212 |
| 213 | 4800200 | Tenant Improvement Reimbursement Provides nonrecurring funding for annual contract payment due towards the remaining balance of unamortized costs for tenant improvements to the Northwood Centre. The department no longer occupies the lease space. The recurring annual payment of \$166,667 was reduced because of a temporary sublease arrangement. | | - | 49,812 | | - | 49,812 | 213 |
| 214 | 4800400 | Security for Department of State Provides recurring budget from the Land Acquisition Trust Fund funding to contract for an additional security guard at the Museum of Florida History in the R.A. Gray Building. The department also requested funding to hire contract security for Mission San Luis and the Clifton Building (Division of Corporations). | | | | | 139,901 | 139,901 | 214 |
| 215 | 4900100 | Cultural and Museum General Support Grants Provides additional funding (over the \$5 million GR base budget) for grants (up to \$150,000) to non-profit organizations and local and state government agencies, including colleges and school districts, to support cultural facility and museum operations. The FY 2016-17 ranked list totals 413 applicants and \$30,933,457. Since \$5 million GR is in the base budget, the full list could be funded for an additional \$25,933,457. <i>[s. 265.286(3), F.S. requires <u>funding to be proportionally allocated to all applicants on the list</u>]</i> | | - | 10,460,000 | | 4,000,000 | 14,460,000 | 215 |
| 216 | | <i>Adrienne Arsht Center Performing Arts Program</i> | | | 65,000 | | | 65,000 | 216 |
| 217 | | <i>Spady Museum</i> | | | 20,000 | | | 20,000 | 217 |
| 218 | | <i>Actor's Playhouse Performing Arts Program</i> | | | 150,000 | | | 150,000 | 218 |
| 219 | 4900200 | Culture Builds Florida Provides nonrecurring GR funding for small "Culture Builds Florida" matching grants (up to \$25,000) to non-profit organizations and local and state government agencies, including colleges and school districts, for specific art and cultural projects or exhibits. The FY 2016-17 ranked list includes 80 applicants totaling \$1,682,209. Subcommittee's draft proposal fully funds the ranked list. | | - | 1,682,209 | | - | 1,682,209 | 219 |
| 220 | 4900400 | Florida Humanities Council Provides nonrecurring funding for the Council which coordinates activities in all counties to provide teacher workshops, classroom resources, and programs for the general public to showcase Florida's history and heritage. Prior years' funding: \$500,000 for FY15-16; \$750,000 for FY14-15; and \$350,000 in previous years. | | 500,000 | | | - | 500,000 | 220 |
| 221 | 4900600 | Florida African-American Heritage Preservation Network Provides nonrecurring funding of \$400,000 for this professional association that serves as an information and technical assistance resource in preserving Florida's African American museums and cultural institutions. Prior year funding: \$400,000 for FY15-16 and FY14-15; \$300,000 for FY 13-14; and \$250,000 for FY10-11. SAME PROVISIO AS FY 2015-16. | | - | 400,000 | | - | 400,000 | 221 |
| 222 | 4900800 | Holocaust Documentation and Education Center Provides nonrecurring GR funding for this program that provides for Student Awareness Days; support for the Teacher Institute on Holocaust Education; and resources for classroom Holocaust education. FY15-16 and FY14-15 funding was \$257,000. No funding prior to FY14-15. | | - | 257,000 | | - | 257,000 | 222 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|--|---|-----------|-----------|---------|-----------|-----------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 223 | 5400000 | <p>Cultural Endowment Grant Program Provides nonrecurring funding to create endowments for non-profit organizations engaged in cultural programming. To create the endowment, the organization must invest \$360,000 local matching funds in order to receive the \$240,000 state match. Only interest generated on the endowment can be expended. For FY 2016-17, two organizations have requested to participate in the endowment program. Historical funding: \$1.68 million for FY15-16; \$6.96 million for FY14-15; and \$0 for FY10-11 through FY13-14. [s. 265.606, F.S.] Subcommittee's draft proposal fully funds the ranked list.</p> | | | 480,000 | | | 480,000 | 223 |
| 224 | 5600000 | <p>Library Cooperative Grant Program Provides funding for grant awards (up to \$400,000) to each of the 5 library cooperatives (networks) in the state. The cooperatives maintain the state's catalog of library materials to promote resource sharing among libraries. Local match is 10%. Historical funding: \$2M for FY15-16 and FY14-15, \$1.5M for FY13-14. [s. 257.40, F.S.]</p> | | 2,000,000 | | | | 2,000,000 | 224 |
| 225 | 5703000 | <p>Increased Funding for State Aid to Libraries The agency requests an increase of \$.7 million to the \$22.3 million recurring funding that is distributed to cities and counties to support over 550 public libraries in the state. To ensure a full allotment of funds from the federal government, the state must maintain a \$20.2 million annual Maintenance of Effort level. Prior year funding includes \$22.3M FY15-16; \$27.4M FY14-15; \$22.3M FY13-14; and \$21.3M FY10-11 thru FY12-13. [s. 257.17, F.S.]</p> | | | | | | | 225 |
| 226 | 7400000 | <p>Historic Preservation Small Matching Grants Provides additional Land Acquisition Trust Fund budget authority of \$268,535 over the recurring base of \$1.5 million to fully fund the Historic Preservation Small Matching Grant Program list. The grants (up to \$50,000) are available to nonprofit organizations and government entities to assist in identifying, excavating, protecting, or rehabilitating historic or archeological sites. Local match is 1:1. The FY 2016-17 ranked list includes 54 applicants with requests totaling \$1,768,535 resulting in the need for additional budget authority of \$268,535. Total funds for the grant program included \$1.9 million in FY15-16 and in FY 14-15; \$6.0 million FY13-14; \$3.9 million FY12-13; and \$900,000 FY11-12. [s. 267.0617, F.S.] Subcommittee's draft proposal fully funds the ranked list.</p> | | | | | 268,535 | 268,535 | 226 |
| 227 | 7900050 | <p>Florida Holocaust Museum - St. Petersburg Provides nonrecurring funding to continue the holocaust digitization project and upgrade of the museum's technology infrastructure.</p> | | | 750,000 | | | 750,000 | 227 |
| 228 | 9400100 | <p>Reimbursements to Counties for Special Elections Provides nonrecurring funding to reimburse counties for costs incurred to conduct special elections for legislative or congressional offices. [s. 100.102, F.S.]</p> | | | 478,000 | | | 478,000 | 228 |
| 229 | 9700100 | <p>Advertising Proposed Constitutional Amendments Provides nonrecurring funding to publish the full text of proposed constitutional amendments in English and Spanish twice in a generally circulated newspaper in each county. Only amendments that reach 683,149 petition signatures by Feb 1, 2016 are eligible. Advertisement costs are based on the number of words in the amendment X \$136 avg cost/word. Funds are also used to provide each supervisor of election a booklet or poster displaying the full text of each proposed amendment.</p> | | | 659,043 | | | 659,043 | 229 |
| 230 | 990G000 | <p>Grants and Aids - Fixed Capital Outlay</p> | | | | | | | 230 |
| 231 | 081182 | <p>Library Construction Grants Provides funding for FCO grants (awards up to \$500,000) for cities, counties, or special districts for the construction, renovations, or building additions for public libraries. Local match is 1:1. The FY 2016-17 Ranked List has 4 applicants and requests totaling \$2 million. Prior year funding: \$2 million for FY15-16; \$3 million for FY14-15; and \$0 for FY 10-11 through FY13-14. [s. 257.191, F.S.] Subcommittee's draft proposal fully funds the ranked list.</p> | | | 2,000,000 | | | 2,000,000 | 231 |
| 232 | | <p><i>East Lake Community Library Building Expansion</i></p> | | | 1,000,000 | | | 1,000,000 | 232 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|--------------------------------------|-------------------|-------------------|---------|--------------------|--------------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 233 | 140015 | Cultural Facilities Program Grants Provides funding for FCO grants (awards up to \$500,000) to non-profit organizations and government agencies for acquisition, construction, or renovation of facilities used for cultural programs or events. Local match is 2:1. The FY 2016-17 Ranked List has 37 applicants and requests totaling \$11,906,424. Prior year funding: \$20.8 million for FY15-16; \$18.2 million for FY14-15; \$4.3 million for FY13-14; and \$4 million for FY12-13. [s. 265.701, F.S.] Subcommittee's draft proposal funds the ranked list through # 20. | | | 6,493,424 | | | 6,493,424 | 233 |
| 234 | | <i>Ruth Eckerd Hall Expansion</i> | | | 1,000,000 | | | 1,000,000 | 234 |
| 235 | | <i>Tampa Theatre Facility Master Plan</i> | | | 1,000,000 | | | 1,000,000 | 235 |
| 236 | | <i>Clearwater Marine Aquarium Dolphin Pool Construction</i> | | | 1,000,000 | | | 1,000,000 | 236 |
| 237 | | <i>Norton Museum of Art</i> | | | 1,000,000 | | | 1,000,000 | 237 |
| 238 | | <i>Florida Agricultural Museum</i> | | | 500,000 | | | 500,000 | 238 |
| 239 | | <i>Forest Capital Hall Renovation</i> | | | 152,327 | | | 152,327 | 239 |
| 240 | | <i>YSPB's Choir in the Glades</i> | | | 100,000 | | | 100,000 | 240 |
| 241 | | <i>PIAG Museum</i> | | | 250,000 | | | 250,000 | 241 |
| 242 | | <i>Sankofa Project - Black Cultural Tourism</i> | | | 1,000,000 | | | 1,000,000 | 242 |
| 243 | | <i>The Peter Powell Roberts Museum of Art & Culture</i> | | | 250,000 | | | 250,000 | 243 |
| 244 | | <i>Dunedin Museum Expansion</i> | | | 395,000 | | | 395,000 | 244 |
| 245 | 140020 | Historic Preservation Grants Provides funding for FCO grants (awards up to \$500,000) from the Land Acquisition Trust Fund to nonprofit organizations, local governments, colleges and schools for acquisition, relocation, or restoration of historic properties and structures. Local match is 1:1. The FY 2016-17 Ranked List has 50 applicants and requests totaling \$13,261,485. Prior year funding: \$8.3 million for FY15-16; \$14 million for FY14-15; and \$1.9 million for FY13-14. [s. 267.0617, F.S.] Subcommittee's draft proposal funds the ranked list through # 14. | | | | | 5,877,279 | 5,877,279 | 245 |
| 246 | | <i>Marjory Stoneman Douglas Biscayne Nature Center</i> | | | 500,000 | | | 500,000 | 246 |
| 247 | | <i>Historic Wauchula City Hall/Auditorium Restoration</i> | | | 500,000 | | | 500,000 | 247 |
| 248 | | <i>Vizcaya Museum and Gardens Trust, Inc.</i> | | | 1,000,000 | | | 1,000,000 | 248 |
| 249 | | <i>Clearwater Historical Society - Historic South Ward School site</i> | | | 843,500 | | | 843,500 | 249 |
| 250 | | <i>Hotel Ponce De Leon Restoration</i> | | | 1,000,000 | | | 1,000,000 | 250 |
| 251 | | <i>Pioneer Florida Museum</i> | | | 53,500 | | | 53,500 | 251 |
| 252 | | <i>USS Adams Museum</i> | | | 500,000 | | | 500,000 | 252 |
| 253 | | <i>Deering Estate - Cultural and Ecological Field Station</i> | | | 500,000 | | | 500,000 | 253 |
| 254 | | <i>William Weech American Legion Post 168 - Key West</i> | | | 154,000 | | | 154,000 | 254 |
| 255 | | <i>Wells Built Museum</i> | | | 250,000 | | | 250,000 | 255 |
| 256 | | <i>American Legion Orange Baker Post 187</i> | | | 100,155 | | | 100,155 | 256 |
| 257 | | <i>Bethel African Methodist Episcopal Church Restoration</i> | | | 340,956 | | | 340,956 | 257 |
| 258 | | <i>Masonic Lodge in Rosewood</i> | | | 172,602 | | | 172,602 | 258 |
| 259 | TOTAL | STATE | 412.00 | 52,760,129 | 38,006,528 | | 44,648,157 | 135,414,814 | 259 |
| 260 | | | | | | | | | 260 |
| 261 | | TRANSPORTATION | | | | | | | 261 |
| 262 | 1100001 | BASE BUDGET - OPERATING | 6,454.00 | - | | | 726,963,275 | 726,963,275 | 262 |
| 263 | 1100002 | BASE BUDGET - FIXED CAPITAL OUTLAY & DEBT SERVICE/OTHER | | - | | | 166,414,920 | 166,414,920 | 263 |
| 264 | 1800100 | Reorganization - Administrative Function - Deduct Transfers 1 FTE and associated salary rate and operating budget authority from the Florida Rail Enterprises budget entity to the Transportation Systems Development budget entity to align resources in the same budget entity as other rail functions. The Florida Rail Enterprises budget entity will no longer be used to separately account for the position and office operating costs. However, the budget entity will continue to be used to account for Fixed Capital Outlay expenditures. Nets to zero with Issue #1800110. | (1.00) | - | | | (291,564) | (291,564) | 264 |
| 265 | 1800110 | Reorganization - Administrative Function - Add Companion issue to Issue #1800100 - nets to zero. | 1.00 | - | | | 291,564 | 291,564 | 265 |
| 266 | 1805030 | Realign Existing Positions Between Budget Entities - Deduct Realigns 5 FTE and associated budget to functionally align the positions with the program area they support in the organizational structure. Nets to zero with Issue #1805040. | (5.00) | - | | | (354,731) | (354,731) | 266 |
| 267 | 1805040 | Realign Existing Positions Between Budget Entities - Add Companion issue to Issue #1805030 - nets to zero. | 5.00 | - | | | 354,731 | 354,731 | 267 |
| 268 | 1805050 | Realign Existing Positions Between Program Components Within Same Budget Entity - Deduct Realigns 7 FTE and related budget to functionally align the positions with the program area they support in the organizational structure. Nets to zero with Issue #1805060. | (7.00) | - | | | (582,065) | (582,065) | 268 |
| 269 | 1805060 | Realign Existing Positions Between Program Components Within Same Budget Entity - Add Companion issue to Issue #1805050 - nets to zero. | 7.00 | - | | | 582,065 | 582,065 | 269 |

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| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
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| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 270 | 2001100 | Realign Base Within Entity - Deduct Realigns budget with the program area it supports in the organizational structure. Nets to zero with Issue # 2001200. | | - | | | (5,638,562) | (5,638,562) | 270 |
| 271 | 2001200 | Realign Base Within Entity - Add Companion issue to Issue #2001100 - nets to zero. | | - | | | 5,638,562 | 5,638,562 | 271 |
| 272 | 2001300 | Realign Base Between Budget Entities - Deduct Realigns budget with the program area it supports in the organizational structure. Nets to zero with Issue # 2001400. | | - | | | (1,186,155) | (1,186,155) | 272 |
| 273 | 2001400 | Realign Base Between Budget Entities - Add Companion issue to Issue #2001300 - nets to zero. | | - | | | 1,186,155 | 1,186,155 | 273 |
| 274 | 2401170 | Replacement Equipment for Materials and Testing Laboratories Provides nonrecurring funding for the replacement of equipment in the State Materials Laboratory in Gainesville. The equipment being replaced is outdated, obsolete, or is no longer functional or supported by vendors. | | - | | | 347,611 | 347,611 | 274 |
| 275 | 2403100 | Additional Equipment for the Materials and Testing Laboratories Provides nonrecurring funding for specialized equipment for the State Materials Laboratory in Gainesville. This equipment will analyze pavement drainage capabilities. | | - | | | 206,400 | 206,400 | 275 |
| 276 | 2503080 | Direct Billing for Administrative Hearings Statewide issue to adjust the base budget to the agency's allocated payment to Division of Administrative Hearings (DOAH). The allocated share is based on the actual number of hearing hours utilized by the department in FY 2014-15. | | - | | | 5,695 | 5,695 | 276 |
| 277 | 3007000 | Intelligent Transportation Systems Support Budget adjustment to enable DOT to recoup all funds due from the Florida Highway Patrol and Miami-Dade Expressway Authority (MDX) for their share of costs to co-locate and operate the Regional Transportation Management Center. | | - | | | 11,128 | 11,128 | 277 |
| 278 | 33V0550 | Vacant Position Reductions Eliminates 75 vacant FTE based on organizational efficiencies being implemented by the department. Corresponding salary rate and budget is not eliminated due to a department wide shortage of authorized salary rate and salary budget . | (75.00) | - | | | | | 278 |
| 279 | 36217C0 | Network Bandwidth Increase Increase in bandwidth capacity in order to meet today's data transfer demands used in major transportation construction projects, managed lanes systems, aerial maps, traffic data, etc. | | - | | | 301,065 | 301,065 | 279 |
| 280 | 36218C0 | Florida Unified System for Estimating Critical System Refresh Improves accuracy and timeliness of construction project cost estimates by updating its long-range preconstruction estimating application and then merging it into DOT's existing Design Quantity Estimating System. | | - | | | 1,275,926 | 1,275,926 | 280 |
| 281 | 36219C0 | Replacement of Computer Aided Drafting and Design (CADD) File Management System Nonrecurring funding to replace the current system with an off-the-shelf, customizable file management system to function as a "file librarian" for construction project data. The current system is no longer supported by the vendor. | | - | | | 504,250 | 504,250 | 281 |
| 282 | 36220C0 | Storage Area Network Replacement Nonrecurring funding to replace the obsolete network storage infrastructure for the 7 district offices and the department's central materials office. | | - | | | 1,168,000 | 1,168,000 | 282 |
| 283 | 36222C0 | Maintenance of Enterprise Security Access Control System Recurring budget authority to fund the annual service and maintenance costs relating to FCO companion issue 990C000 (requests the replacement of access control systems at 19 department locations in FY 2016-17). The total cost for the 3-year replacement plan totals \$1.7 million. This issue is only for the annual service & maintenance costs (see FCO issue for acquisition of replacement control systems). | | - | | | 122,750 | 122,750 | 283 |
| 284 | 36233C0 | Transportation Work Program Integration Initiative Provides nonrecurring funding complete the 3rd year of the planning phase for this multi-year department wide technology rewrite and replacement of the Transportation Work Program data system and feeder systems. Funding is needed to identify and document detailed user requirements in preparation of the replacement system bid requirements. | | - | | | 2,757,780 | 2,757,780 | 284 |
| 285 | 36240C0 | Replacement of Voice Communication Equipment Nonrecurring funding to purchase replacement of aging telephone instruments and systems in the central office and the district offices. | | - | | | 862,192 | 862,192 | 285 |

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| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
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| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 286 | 36241C0 | Replacement of Video Conference Equipment Nonrecurring funding to replace video conferencing that has reached the end of life and will no longer be supported by maintenance contracts or software updates. | | - | | | 491,250 | 491,250 | 286 |
| 287 | 36342C0 | Geospatial Roadway Data Strategic Framework Provides 2nd year funding for the 3-year, \$1.6 million replacement of the Roadway Characteristics Inventory System with a single system to serve multiple data needs including engineering, maintenance, fund eligibility determination, federal reporting, traffic operations, signage, lighting, and life-cycle replacement. | | - | | | 1,020,780 | 1,020,780 | 287 |
| 288 | 4B01000 | Enhanced Accountability of State Resources Provides nonrecurring budget authority to fund business requirements. | | - | | | 500,000 | 500,000 | 288 |
| 289 | 55015C0 | Contract Services Support For Managed Lanes Information Technology (IT) Systems Provides funding to hire contract staff to support additional 81 miles of managed lanes due to expansion of the I-4 corridor and surrounding network of roads. See Issues #55016C0 and #55017C0. | | - | | | - | - | 289 |
| 290 | 55016C0 | Transfer Resources to Support Intelligent Transportation Systems Workload - Deduct The Governor's Budget recommends the transfer of funding from existing resources (the Salaries and Benefits category) to provide funding in the Contracted Services category to hire contract staff to support the I-4 Corridor managed lanes. Nets to zero with Issue # 55017C0. | | - | | | (650,219) | (650,219) | 290 |
| 291 | 55017C0 | Transfer Resources to Support Intelligent Transportation Systems Workload - Add The Governor's Budget recommends the transfer of funding from existing resources to the Contracted Services category to provide for the additional contract staff necessary to support the additional managed lanes along the I-4 Corridor. | | - | | | 650,219 | 650,219 | 291 |
| 292 | 5504500 | Support Costs for Buildings Recurring budget authority to support additional operating costs for the new Manatee Operations Center (lawn maintenance, pest control, janitorial services, etc.) | | - | | | 102,162 | 102,162 | 292 |
| 293 | 5504800 | Emergency Repairs State Buildings and Grounds (Operating) <i>Establish a special category</i> and provide recurring funding to ensure sufficient funding is available for unanticipated emergency repairs to DOT buildings and grounds. Establishes a base budget of \$.13 SF. Nonrecurring funding was authorized in previous years. | | - | | | 250,000 | 250,000 | 293 |
| 294 | 6001000 | Support for Disadvantaged Business Enterprises Provides budget authority to expend <i>federal grant funds</i> to conduct information, training, and technical assistance to Disadvantaged Business Enterprises. | | - | | | 137,638 | 137,638 | 294 |
| 295 | 6001050 | Support for Minority Training and Recruitment into Construction Industry Provides budget authority to expend <i>federal grant funds</i> received from the Federal Highway Administration to conduct on-the-job training, construction career days, and job fair events for individuals interested in construction industry jobs. | | - | | | 603,389 | 603,389 | 295 |
| 296 | 6002400 | Support for Transportation Disadvantaged Additional budget authority to enable the Commission on Transportation Disadvantaged to use increased revenue projections to fund additional trips. | | - | | | 487,718 | 487,718 | 296 |
| 297 | 6002XX0 | Additional Transportation Disadvantaged Program Support for Underserved Counties Additional nonrecurring budget authority to distribute unused funds that were returned to the Transportation Disadvantaged Trust Fund. The funds will be distributed to underserved populations to provide additional trips. | | - | | | 7,938,120 | 7,938,120 | 297 |
| 298 | | <i>Transportation Disadvantaged Study</i> | | - | | | 200,000 | 200,000 | 298 |
| 299 | 990C000 | Code Corrections | | - | | | - | - | 299 |
| 300 | 080002 | Minor Repairs/Improvements - State Provides nonrecurring Fixed Capital Outlay funding to address fire, environmental, health, and safety code issues, and ADA requirements. | | - | | | 2,008,270 | 2,008,270 | 300 |

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| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
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| 301 | 088225 | Improvements/Security Systems Provides nonrecurring Fixed Capital Outlay funding to begin a multi-year project to install a statewide integrated Security Access Control System where information technology and confidential data is stored. This replaces existing stand-alone systems in the Districts and the Central Office. This issue provides funding for 19 facilities in 3 Districts. Additional funding will be requested in Years 2 and 3 to install the new Control Systems in the remaining 18 DOT locations in the other Districts. Note: See companion issue #36222C0 for annual recurring service and maintenance costs associated with the first 19 locations. The total project will cost \$1.5 million nonrecurring and \$228,250 in recurring costs. | | | | | 746,250 | 746,250 | 301 |
| 302 | 990E000 | Environmental Projects | | | | | - | - | 302 |
| 303 | 088763 | Environmental Site Restoration Provides nonrecurring Fixed Capital Outlay funding to continue environmental site restoration work to clean up soil and groundwater contamination per state and federal requirements. | | | | | 635,000 | 635,000 | 303 |
| 304 | 990F000 | Support Facilities | | | | | - | - | 304 |
| 305 | 080002 | Minor Repairs/Improvements-State Provides nonrecurring Fixed Capital Outlay funding for minor repairs and maintenance of DOT district facilities. | | | | | 419,164 | 419,164 | 305 |
| 306 | 088745 | Cocoa Operations Center-Repairs/Renovations/Additions Provides nonrecurring Fixed Capital Outlay funding for the final phase of this 3-year \$21.9 million construction of the Cocoa Brevard Operations Center. | | | | | 4,000,000 | 4,000,000 | 306 |
| 307 | 990T000 | Transportation Work Program | | | | | - | - | 307 |
| 308 | 080047 | State Infrastructure Bank Loan Repayments | | | | | 9,000,000 | 9,000,000 | 308 |
| 309 | 085575 | Small County Resurface Assistance Program (SCRAP) | | | | | 27,627,326 | 27,627,326 | 309 |
| 310 | | <i>Increased Funding for SCRAP Program</i> | | | | | 25,000,000 | 25,000,000 | 310 |
| 311 | 085576 | Small County Outreach Program (SCOP)* | | | | | 57,705,253 | 57,705,253 | 311 |
| 313 | | <i>SCOP Program for Small Cities</i> | | | | | 9,000,000 | 9,000,000 | 313 |
| 314 | 088572 | County Transportation Programs | | | | | 46,128,421 | 46,128,421 | 314 |
| 315 | 088703 | Bond Guarantee | | | | | 500,000 | 500,000 | 315 |
| 316 | 088704 | Transportation Planning Consultants | | | | | 62,954,001 | 62,954,001 | 316 |
| 317 | 088712 | Highway Maintenance Contracts | | | | | 499,181,984 | 499,181,984 | 317 |
| 318 | 088716 | Intrastate Highway Construction | | | | | 3,243,969,195 | 3,243,969,195 | 318 |
| 319 | 088717 | Arterial Highway Construction | | | | | 188,508,368 | 188,508,368 | 319 |
| 320 | | <i>Honeymoon Island Spur</i> | | | | | 300,000 | 300,000 | 320 |
| 321 | | <i>James E. King, Jr. Trail</i> | | | | | 200,000 | 200,000 | 321 |
| 322 | | <i>High Springs - Newberry Rail Corridor</i> | | | | | 2,000,000 | 2,000,000 | 322 |
| 323 | | <i>The Underline</i> | | | | | 2,000,000 | 2,000,000 | 323 |
| 324 | | <i>Orchard Pond Parkway Trail</i> | | | | | 500,000 | 500,000 | 324 |
| 325 | 088718 | Construction Inspection Consultants | | | | | 421,054,325 | 421,054,325 | 325 |
| 326 | 088719 | Aviation Development/Grants | | | | | 237,673,600 | 237,673,600 | 326 |
| 327 | | <i>Treasure Coast International Airport Expansion</i> | | | | | 1,827,500 | 1,827,500 | 327 |
| 328 | | <i>Treasure Coast International Airport Intermodal Logistics Design</i> | | | | | 172,500 | 172,500 | 328 |
| 329 | 088774 | Public Transit Development/Grants | | | | | 503,359,608 | 503,359,608 | 329 |
| 330 | | <i>City of Hialeah Gardens Senior Center Transportation</i> | | | | | 190,000 | 190,000 | 330 |
| 331 | 088777 | Right-Of-Way Land Acquisition | | | | | 544,971,691 | 544,971,691 | 331 |
| 332 | 088790 | Seaport - Economic Development | | | | | 15,000,000 | 15,000,000 | 332 |
| 333 | 088791 | Seaports Access Program | | | | | 10,000,000 | 10,000,000 | 333 |
| 334 | 088794 | Seaport Grants | | | | | 113,925,263 | 113,925,263 | 334 |
| 335 | | <i>Port Manatee Security</i> | | | | | 300,000 | 300,000 | 335 |
| 336 | 088796 | Highway Safety Construction/Grants | | | | | 158,252,983 | 158,252,983 | 336 |
| 337 | | <i>Wrong-Way Driver Video Analytics Software Program</i> | | | | | 1,500,000 | 1,500,000 | 337 |
| 338 | 088797 | Resurfacing | | | | | 546,771,215 | 546,771,215 | 338 |
| 339 | 088799 | Bridge Construction | | | | | 731,926,327 | 731,926,327 | 339 |
| 340 | 088807 | Seaport Investment Program | | | | | 11,405,612 | 11,405,612 | 340 |
| 341 | 088808 | Rail Development/Grants | | | | | 284,363,761 | 284,363,761 | 341 |
| 342 | | <i>Quiet Zone Improvements Grant Program</i> | | | | | 10,000,000 | 10,000,000 | 342 |
| 343 | 088809 | Intermodal Development/Grants | | | | | 59,017,690 | 59,017,690 | 343 |
| 344 | 088810 | Contract Maintenance with Department of Corrections | | | | | 19,146,000 | 19,146,000 | 344 |
| 345 | 088849 | Preliminary Engineering Consultants | | | | | 718,765,555 | 718,765,555 | 345 |
| 346 | 088850 | Highway Beautification Grants | | | | | 1,000,000 | 1,000,000 | 346 |
| 348 | 088853 | Right-of-Way Support | | | | | 72,051,338 | 72,051,338 | 348 |
| 349 | 088854 | Transportation Planning Grants | | | | | 27,405,039 | 27,405,039 | 349 |
| 350 | 088857 | Materials And Research | | | | | 14,801,254 | 14,801,254 | 350 |
| 351 | 088864 | Bridge Inspection | | | | | 11,849,825 | 11,849,825 | 351 |
| 352 | 088865 | Economic Develop. Transportation Projects - Road Fund | | | | | 2,317,000 | 2,317,000 | 352 |
| 360 | | <i>Sanita Rosa County I-10 Industrial Park</i> | | | | | 1,000,000 | 1,000,000 | 360 |
| 361 | | <i>Jacksonville Ferry</i> | | | | | 1,000,000 | 1,000,000 | 361 |
| 362 | | <i>Southwest Ranches Guardrails Installation</i> | | | | | 300,000 | 300,000 | 362 |

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| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|---|---|----------|----------|----------|-----------------------|-----------------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 363 | | Burnt Store Road Phase 2 | | | | | 1,000,000 | 1,000,000 | 363 |
| 364 | | Oldsmar - Douglas Road/Burbank Road Improvements | | | | | 1,500,000 | 1,500,000 | 364 |
| 365 | | Glades Area Street Resurfacing & Reconstruction | | | | | 1,000,000 | 1,000,000 | 365 |
| 366 | | Broadway Corridor Revitalization | | | | | 450,000 | 450,000 | 366 |
| 367 | | Highway 19 Multi-Modal Overpass | | | | | 750,000 | 750,000 | 367 |
| 368 | | Lake Worth Park of Commerce | | | | | 2,500,000 | 2,500,000 | 368 |
| 369 | | NE 163rd Street/NE 35th Avenue Intersection Improvements, City of North Miami Beach | | | | | 1,000,000 | 1,000,000 | 369 |
| 370 | | Britt Road Bridge Replacement | | | | | 1,733,000 | 1,733,000 | 370 |
| 371 | | US 1 "Complete Streets", Village of Tequesta | | | | | 300,000 | 300,000 | 371 |
| 372 | | City of Cape Coral Sidewalk Safety project | | | | | 450,000 | 450,000 | 372 |
| 373 | | City of Venice Road Improvement Project | | | | | 650,000 | 650,000 | 373 |
| 374 | | Walton County Intermodal Transportation Innovation Program | | | | | 500,000 | 500,000 | 374 |
| 375 | | County Road 466A Phase 3 | | | | | 2,000,000 | 2,000,000 | 375 |
| 376 | | Citrus Grove Road - 27 to Turnpike | | | | | 1,500,000 | 1,500,000 | 376 |
| 377 | | City of Mount Dora - U.S. 441 Utility Relocation | | | | | 1,000,000 | 1,000,000 | 377 |
| 378 | | City of Umatilla Roadway Rehabilitation and Paving | | | | | 1,050,000 | 1,050,000 | 378 |
| 379 | | Widening Old Dixie Highway - Nassau County | | | | | 1,500,000 | 1,500,000 | 379 |
| 380 | | City of Sunny Isles Beach's North Bay Road Emergency/ Pedestrian Bridge | | | | | 500,000 | 500,000 | 380 |
| 381 | | Alico Road, Lee County | | | | | 1,000,000 | 1,000,000 | 381 |
| 382 | 088866 | Traffic Engineering Consultants | | - | | | 178,772,195 | 178,772,195 | 382 |
| 383 | 088867 | Local Government Reimbursement | | - | | | 1,256,500 | 1,256,500 | 383 |
| 384 | 088876 | Toll Operation Contracts | | - | | | 123,254,955 | 123,254,955 | 384 |
| 385 | 088920 | Turnpike System Equipment and Development | | - | | | 33,267,920 | 33,267,920 | 385 |
| 386 | 088922 | Tolls System Equipment and Development | | - | | | 46,026,302 | 46,026,302 | 386 |
| 387 | 089070 | Debt Service (Increase) | | - | | | 3,726,903 | 3,726,903 | 387 |
| 388 | TOTAL | TRANSPORTATION | 6,379.00 | - | - | - | 10,035,560,090 | 10,035,560,090 | 388 |
| 389 | | | | | | | | | 389 |
| 390 | | DIVISION OF EMERGENCY MANAGEMENT | | | | | | | 390 |
| 391 | 1100001 | BASE BUDGET - OPERATING | 157.00 | - | | | 66,092,771 | 66,092,771 | 391 |
| 392 | | BASE BUDGET - FIXED CAPITAL OUTLAY & DEBT SERVICE/OTHER | | - | | | 3,000,000 | 3,000,000 | 392 |
| 393 | 2000500 | Realign Budget Authority to More Accurately Reflect Program Expenditures - Deduct Realigns base budget funding across multiple appropriation categories and fund sources. Nets to zero with Issue # 2000600. | | | | | (1,423,748) | (1,423,748) | 393 |
| 394 | 2000600 | Realign Budget Authority to More Accurately Reflect Program Expenditures - Add Companion issue to Issue # 2000500 - nets to zero. | | | | | 1,423,748 | 1,423,748 | 394 |
| 395 | 33V9190 | Reduction of Full Time Equivalent (FTE) - Division of Emergency Management Governor's Recommendation eliminates 8 FTE and associated salary rate and Salaries and Benefits budget authority to create administrative and operational efficiencies. As of January 11, 2016, 12 of the division's 157 positions are vacant. | | | | | | | 395 |
| 396 | 570A040 | Continue Other Personal Services to Assist with County Emergency Management Accreditation Provides additional recurring state funds for DEM to continue to provide guidance and technical assistance to local governmental entities seeking Emergency Management Accreditation. Currently, 10 jurisdictions (9 counties and one municipality) are fully accredited and the DEM projects that an additional 2 counties will be accredited by June 30, 2016. At least 3 counties are scheduled to have on-site assessments during FY 2016-17 and the division is actively working with 12 other jurisdictions on the accreditation process. | | | | | 210,240 | 210,240 | 396 |
| 397 | 570A050 | Elevation Data Collection Provides nonrecurring general revenue funds to acquire digital elevation data for approximately 3,500 of the 10,800 square miles in Florida for which digital elevation baseline data has never been collected. | | | | | | | 397 |
| 398 | 570B040 | Additional Trust Fund Spending Authority for Open Emergency Management Performance Grants (EMPG) Provides additional budget authority to spend available federal funds for approved EMPG projects that enable the state and local governments to maintain and enhance emergency management capabilities. | | | | | 3,007,356 | 3,007,356 | 398 |
| 399 | 570B050 | Local Emergency Planning Committee Staffing Contract Increase Provides additional recurring state funds to increase the amount of funding provided to the state's 10 Local Emergency Planning Committees (LEPCs) from \$49,000 to \$60,000 annually. LEPCs assist communities in planning for emergencies involving hazardous substances and ensure compliance with the federal and state Emergency Planning and Community Right-to-Know acts. | | | | | 110,000 | 110,000 | 399 |

Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

| Row# | AGENCY / DEPARTMENT | | SENATE SUBCOMMITTEE'S DRAFT PROPOSAL | | | | | Row# | |
|------|---------------------|--|---|-------------------|--------------------|--------------------|-----------------------|-----------------------|-----------|
| | ISSUE CODE | ISSUE TITLE | FTE | REC GR | NR GR | SEED TF | ALL TRUST | | ALL FUNDS |
| 400 | 570B060 | Purchase of Portable Radiation Detection Equipment Provides additional state funds to periodically replace radiation detection equipment needed to respond to releases from nuclear power plants. | | - | | | 133,025 | 133,025 | 400 |
| 401 | 570B070 | Enhancing Radiological Emergency Preparedness Provides budget authority to annually allocate \$5,000 to each of the 13 "Ingestion Pathway Zone" counties to assist those counties in creating, maintaining and exercising a Radiological Emergency Response Plan. | | - | | | 65,000 | 65,000 | 401 |
| 402 | 570B080 | Crude Oil By Rail Training for Volunteer Firefighters Provides recurring state trust funds to send 15 volunteer firefighters to specialized firefighting training conducted in Colorado. | | - | | | 57,000 | 57,000 | 402 |
| 403 | 570B090 | Hazardous Materials Transportation Study Provides nonrecurring state trust funds to contract with a private vendor to conduct a comprehensive commodity flow study, concentrating on the transport of hazardous materials. | | - | | | - | - | 403 |
| 404 | 570E080 | Statewide Emergency Alert and Notification System Governor's Recommendation provides nonrecurring state trust funds to continue to develop and deploy the statewide emergency and mass notification system. \$4.5 million was provided in FY 2015-16 for this purpose. | | - | 3,500,000 | | - | 3,500,000 | 404 |
| 405 | 570E100 | Additional Trust Fund Spending Authority for Residential Construction Mitigation Provides nonrecurring state trust funds to continue residential construction mitigation projects that enable homeowners to retrofit their homes to mitigate against wind damage. \$4.5 million was provided in FY 2015-16 for this purpose. | | - | | | 3,398,486 | 3,398,486 | 405 |
| 406 | 570E200 | Hurricane Loss Mitigation Program Provides nonrecurring state trust funds to raise awareness and implement techniques to enhance hurricane loss mitigation. | | - | | | - | - | 406 |
| 407 | 5701000 | Open Federally Declared Disasters - Funding to Communities Governor's Recommendation provides nonrecurring budget authority to pass federal disaster assistance funds provided by the Federal Emergency Management Agency (FEMA) through to sub grantees. The nonrecurring general revenue funds are provided for the required state match. | | - | | | 238,819,580 | 238,819,580 | 407 |
| 408 | 5701500 | Open Federally Declared Disasters - State Operations Governor's Recommendation provides nonrecurring budget authority to cover the state's administrative costs related to federally declared disasters. The nonrecurring general revenue funds are provided for the required state match. | | - | | | 12,486,398 | 12,486,398 | 408 |
| 409 | TOTAL | DIVISION OF EMERGENCY MANAGEMENT | 157.00 | - | 3,500,000 | - | 327,379,856 | 330,879,856 | 409 |
| 410 | GRAND TOTAL | | 13,352.50 | 73,186,731 | 239,303,666 | 212,115,862 | 12,162,487,847 | 12,474,978,244 | 410 |

The moneys contained herein are appropriated from the named funds, to the Department of Agriculture and Consumer Services, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1869 through 1884, 1890 through 1895, 1909 through 1917, 1920 through 1929, and 1970 through 1981 are provided from the named funds to the Department of Transportation to fund the five-year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

1856 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION
DISADVANTAGED

From the funds in Specific Appropriation 1856, \$200,000 of nonrecurring funds is provided to the Florida Commission for the Transportation Disadvantaged to contract with an independent consultant to explore Florida's historic funding of transportation disadvantaged services, the formulas used for distribution of state funds, and the allocation of funding specifically as it relates to urban and rural counties throughout the state. The study will also explore funding formulas and practices of similar services provided in other states.

From the funds in Specific Appropriation 1856, \$4,050,000 of nonrecurring funds shall be allocated to community transportation coordinators who do not receive Urbanized Area Formula Program (49 U.S.C. section 5307) funds to provide transportation services for persons with disabilities, older adults, and people with low incomes so they may access health care, employment, education and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.

From the funds in Specific Appropriation 1856, \$1,138,120 of nonrecurring funds are provided to award competitive grants to community transportation coordinators to address unique transportation challenges of persons with disabilities, older persons and low-income persons seeking to obtain or maintain employment, to allow inner city, urban, or rural neighborhoods residents to access jobs, and to provide transportation services for persons who work late at night or on weekends when conventional transit services are reduced or non-existent.

From the funds in Specific Appropriation 1856, \$2,750,000 of nonrecurring funds are provided to award competitive grants to community transportation coordinators to support transportation projects to: (1) Enhance the access of individuals to health care, shopping, education, employment, public services, and recreation; (2) Assist in the development, improvement, and use of transportation systems in nonurbanized areas; (3) Promote the efficient coordination of services; (4) Support intercity bus transportation; and (5) Encourage private transportation provider participation.

The remaining funds in Specific Appropriation 1856 are provided for funding services to transportation disadvantaged individuals. A public or private entity that receives any of these funds shall develop and implement performance measures which, at a minimum, shall address timing of advanced scheduling requests; on-time passenger pickup; improved routing to minimize passenger wait times; error rates for passenger pick-up and drop-off; and collection and public posting of passenger satisfaction survey ratings. By September 30, 2016, each such public or private entity must provide information to the Florida Department of Transportation which details the adopted performance measures and the methods used for evaluating performance. The Florida Department of Transportation shall provide a report to the chairs of the legislative appropriations committees by December 15, 2016, specifying which entities submitted, or failed to submit, the required information as

well as an evaluation of the efficacy of the performance measures and recommendations as to best practices that could be implemented on a statewide basis.

1858 FIXED CAPITAL OUTLAY
 AVIATION DEVELOPMENT/GRANTS

From the funds in Specific Appropriation 1858, a portion of the funds shall be allocated as follows:

| | |
|---|-----------|
| Treasure Coast International Airport Expansion..... | 1,827,500 |
| Treasure Coast International Airport Intermodal Logistics Design..... | 172,500 |

1859 FIXED CAPITAL OUTLAY
 PUBLIC TRANSIT DEVELOPMENT/GRANTS

From the funds in Specific Appropriation 1859, \$190,000 is provided for the City of Hialeah Gardens Senior Center Transportation program.

The remaining funds in Specific Appropriation 1859 are provided for funding transit services for individuals. A public or private entity that receives any of these funds shall develop and implement performance measures which, at a minimum, shall address timing of advanced scheduling requests; on-time passenger pickup; improved routing to minimize passenger wait times; error rates for passenger pick-up and drop-off; and collection and public posting of passenger satisfaction survey ratings. By September 30, 2016, each such public or private entity must provide information to the Florida Department of Transportation which details the adopted performance measures and the methods used for evaluating performance. The Florida Department of Transportation shall provide a report to the chairs of the legislative appropriations committees by December 15, 2016, specifying which entities submitted, or failed to submit, the required information as well as an evaluation of the efficacy of the performance measures and recommendations as to best practices that could be implemented on a statewide basis.

1863 FIXED CAPITAL OUTLAY
 SEAPORT GRANTS

From the funds in Specific Appropriation 1863, \$300,000 is provided to Port Manatee in order to purchase a highly flexible, secure, and configurable solution for area situational awareness and incident response in the port. The funds will serve as the cost-sharing requirement for a federal Port Security Grant slated for GIS projects.

FLORIDA RAIL ENTERPRISE

1874 FIXED CAPITAL OUTLAY
 RAIL DEVELOPMENT/GRANTS

From the funds in Specific Appropriation 1874, \$10,000,000 is provided for Quiet Zone improvements in response to the use of locomotive horns at highway-rail grade crossings. The Department of Transportation shall create a grant program for quiet zones requested by local agencies to provide funding of up to 50 percent of the nonfederal and nonprivate share of the total costs of any qualifying quiet zone capital improvement project.

The Department of Transportation will coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies in the development of quiet zone plans. Local agencies may apply for grant funds after its quiet zone plan is approved by the department.

The Department of Transportation will monitor crossing incidents at approved quiet zone locations and have the right to revoke the quiet zone(s) at any time if a significant deterioration in safety results from quiet zone implementation.

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

1890 FIXED CAPITAL OUTLAY
 SMALL COUNTY OUTREACH PROGRAM (SCOP)

From the funds in Specific Appropriation 1890, \$9,000,000 is

appropriated for transportation projects within a rural area of opportunity designated pursuant to section 288.0656(7), Florida Statutes.

1895 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION

From the funds in Specific Appropriation 1895, a portion of the funds shall be allocated as follows:

| | |
|--|-----------|
| Honeymoon Island Spur..... | 300,000 |
| James E. King, Jr. Trail..... | 200,000 |
| High Springs - Newberry Rail Corridor..... | 2,000,000 |
| The Underline..... | 2,000,000 |
| Orchard Pond Parkway Trail..... | 500,000 |

1899 FIXED CAPITAL OUTLAY
HIGHWAY SAFETY CONSTRUCTION/GRANTS

From the Specific Appropriation in 1899, \$1,500,000 is provided for the second phase of testing the software video analytics program providing real time, highly accurate land level traffic data with speeds, counts, headway, and classifications to provide data to improve safety for wrong way drivers, hurricane evacuation routes, emergency response and related needs.

1903 FIXED CAPITAL OUTLAY
HIGHWAY BEAUTIFICATION GRANTS

From the funds in Specific Appropriation 1903, \$800,000 is provided for Keep Florida Beautiful.

1906 FIXED CAPITAL OUTLAY
ECONOMIC DEVELOPMENT TRANSPORTATION
PROJECTS - ROAD FUND

From the funds in Specific Appropriation 1906, a portion of the funds shall be allocated as follows:

| | |
|--|-----------|
| Santa Rosa County I-10 Industrial Park..... | 1,000,000 |
| Jacksonville Ferry..... | 1,000,000 |
| Southwest Ranches Guardrails Installation..... | 300,000 |
| Burnt Store Road Phase 2..... | 1,000,000 |
| Oldsmar - Douglas Road/Burbank Road Improvements..... | 1,500,000 |
| Glades Area Street Resurfacing & Reconstruction..... | 1,000,000 |
| Broadway Corridor Revitalization..... | 450,000 |
| Highway 19 Multi-Modal Overpass..... | 750,000 |
| Lake Worth Park of Commerce..... | 2,500,000 |
| NE 163rd Street/NE 35th Avenue Intersection Improvements | |
| City of North Miami Beach..... | 1,000,000 |
| Britt Road Bridge Replacement..... | 1,733,000 |
| US 1 "Complete Streets", Village of Tequesta..... | 300,000 |
| City of Cape Coral Sidewalk Safety project..... | 450,000 |
| City of Venice Road Improvement Project..... | 650,000 |
| Walton County Intermodal Transportation Innovation Program.. | 500,000 |
| County Road 466A Phase 3..... | 2,000,000 |
| Citrus Grove Road - 27 to Turnpike..... | 1,500,000 |
| City of Mount Dora - U.S. 441 Utility Relocation..... | 1,000,000 |
| City of Umatilla Roadway Rehabilitation and Paving..... | 1,050,000 |
| Widening Old Dixie Highway - Nassau County..... | 1,500,000 |
| City of Sunny Isles Beach's North Bay Road Emergency/ Pedestrian Bridge | 500,000 |
| Alico Road, Lee County..... | 1,000,000 |

The moneys contained herein are appropriated from the named funds to Administered Funds, Department of Business and Professional Regulation, Department of Citrus, Department of Economic Opportunity, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

ECONOMIC OPPORTUNITY, DEPARTMENT OF

From the funds in Specific Appropriations 2167 through 2258, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The department head or a designee must certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It is the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

From the funds in Specific Appropriations 2167 through 2258, no federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, CareerSource Florida, or the Department of Economic Opportunity if it has been determined by whichever entity is the lessee that there is no longer a need for the leased space. All leases, and performance and obligations under the leases, are subject to and contingent upon an annual appropriation by the Florida Legislature. In the event that such annual appropriation does not occur, or in the alternative, there is either a reduction in funding from the prior annual appropriation or the entity which is the lessee determines that the annual appropriation is insufficient to meet the requirements of the leases, then the lessee has the right to terminate the lease upon written notice by the lessee and the lessee shall have no further obligations under the contracts.

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

2153 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

Funds provided in Specific Appropriation 2153 from the State Economic Enhancement and Development Trust Fund, the Tourism Promotional Trust Fund, and the Florida International Trade and Promotion Trust Fund, shall only be used to represent the state's interest in the Digital Domain Media Group, Inc., bankruptcy action.

Funds provided in Specific Appropriation 2172 from the Administrative Trust Fund may be used to represent the state's interest in legal matters that require the use of outside legal counsel.

PROGRAM: WORKFORCE SERVICES

WORKFORCE DEVELOPMENT

From the funds in Specific Appropriations XXXX through XXXX, the Department of Economic Opportunity must determine if any funds provided for specific workforce programs, projects, or initiatives are not an allowable use of federal funds. If the department finds that any workforce program, project, or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the department must notify the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

When allocating full-time equivalent (FTE) positions to individual regional workforce boards, the Department of Economic Opportunity must ensure that workforce services are effectively and efficiently provided

throughout the state. The department is authorized to reallocate any FTE position allocated to a regional workforce board that has been or becomes vacant for more than 180 days. When reallocating a vacant FTE position, the department must give priority to a regional workforce board that would use the FTE position to provide additional services to veterans.

2177A SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE PROJECTS

The nonrecurring funds provided in Specific Appropriation 2177A from the Special Employment Security Administration Trust Fund shall be allocated as follows:

Subcommittee decisions to be inserted.

The Department of Economic Opportunity shall directly contract with entities allocated funds from Specific Appropriation 2177A.

2178 SPECIAL CATEGORIES
NON CUSTODIAL PARENT PROGRAM

Funds provided in Specific Appropriation 2178 from the Welfare Transition Trust Fund are provided to continue the Gulf Coast Jewish Family and Community Services' Non-Custodial Parent Employment Program in Miami-Dade, Pinellas, Pasco, and Hillsborough counties, allocated as follows: Miami-Dade County - \$666,000; and Pinellas, Pasco, and Hillsborough counties - \$750,000.

CareerSource Pinellas shall administer the funds.

2181 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE
BOARDS

Funds provided in Specific Appropriation 2181 from the Welfare Transition Trust Fund are allocated for workforce services based on a plan approved by CareerSource Florida. The plan must maximize funds distributed directly to the regional workforce boards, and must identify any funds allocated for state-level and discretionary initiatives. The plan must equitably distribute funds to the boards based on anticipated client caseload to maximize the ability of the state to meet performance standards, including federal work participation rate requirements, and prioritize services provided to one-parent families.

From the funds provided in Specific Appropriation 2181, any expenditures by a regional workforce board for "outreach," "advertising," or "public relations" must have a direct program benefit and must be spent in strict accordance with all applicable federal regulations and guidance. For any expenditures exceeding \$5,000 for outreach purposes, a regional workforce board must obtain prior approval from the Department of Economic Opportunity before purchasing: promotional items, including but not limited to capes, blankets, and clothing; and memorabilia, models, gifts, and souvenirs.

Funds in Specific Appropriation 2181 may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, CareerSource Florida, or the Department of Economic Opportunity except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel established in section 112.061, Florida Statutes, shall be in compliance with all applicable federal and state requirements. Funds in Specific Appropriation 2181 may not be used for entertainment costs and recreational activities for board members, staff, or employees.

Funds in Specific Appropriation 2181 may not be used for any contract exceeding \$25,000 between a regional workforce board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Department of Economic Opportunity and CareerSource Florida.

CAREERSOURCE FLORIDA

2195 SPECIAL CATEGORIES
CAREERSOURCE FLORIDA OPERATIONS

The funds provided from the State Economic Enhancement and Development Trust Fund in Specific Appropriation 2195 are provided to CareerSource Florida to market and promote the business and training solutions available through CareerSource Florida and the local workforce

development boards.

PROGRAM: COMMUNITY DEVELOPMENT

HOUSING AND COMMUNITY DEVELOPMENT

2216 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING AND COMMUNITY
DEVELOPMENT PROJECTS

From the funds provided in Specific Appropriation 2216, XX,XXX,XXX of nonrecurring funds from the XX Trust Fund are allocated as follows:

Subcommittee decisions to be inserted.

The Department of Economic Opportunity shall directly contract with the entities allocated funds from Specific Appropriation 2216.

2220 SPECIAL CATEGORIES
GRANTS AND AIDS - TECHNICAL AND PLANNING
ASSISTANCE

Funds in Specific Appropriation 2220 must be used for technical and planning assistance activities, as required by section 163.3168, Florida Statutes, and may be used for the department's Competitive Florida Partnership pilot program.

FLORIDA HOUSING FINANCE CORPORATION

2223 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE
CORPORATION (HFC) - AFFORDABLE HOUSING
PROGRAMS

From the funds provided in Specific Appropriation 2223, at least 50 percent shall be used to fund the construction or rehabilitation of units through the State Apartment Incentive Loan (SAIL) Program. Each SAIL development that receives an award from these funds and will be targeted to families, elderly persons, and persons who are homeless pursuant to section 420.5087 (3), Florida Statutes, must include not less than 5 percent and no more than 10 percent of its units designed, constructed, and targeted for persons with a disabling condition as defined in section 420.0004 (7), Florida Statutes. Each development shall be required to enter into an agreement with at least one designated supportive services lead agency, such as the Local Center for Independent Living, the Agency for Persons with Disabilities, or any other such agency approved by the Florida Housing Finance Corporation (FHFC), for the purpose of coordinating services and housing for persons with disabilities.

From the funds in Specific Appropriation 2223, \$10,000,000 is provided to fund a competitive grant program for housing developments designed, constructed, and targeted for persons with developmental disabilities as defined in section 393.063, Florida Statutes. Private nonprofit organizations whose primary mission includes serving persons with developmental disabilities as defined in section 393.063, Florida Statutes, shall be eligible for these grant funds. Housing projects funded with these grants may include community residential homes as defined in section 419.001, Florida Statutes, or individual housing units, and may include new construction and renovation of existing housing units. In evaluating proposals for these funds, the FHFC shall consider: the extent to which funds from local and other sources will be used by the applicant to leverage the grant funds provided under this section; employment opportunities and supports that will be available to residents of the proposed housing; a plan for residents to effectively and efficiently access community-based services, resources, and amenities; and partnerships with other supportive services agencies.

From the funds in Specific Appropriation 2223, \$5,000,000 from the Local Government Housing Trust Fund is provided to fund affordable rental opportunities for essential services personnel in the Florida Keys Area of Critical State Concern. "Essential services personnel" means persons in need of affordable housing who are considered essential services personnel as defined by Monroe County in its local housing assistance plan. "Workforce housing" means multifamily rental housing affordable to persons or households whose income does not exceed 140 percent of the area median income for Monroe County.

The Florida Housing Finance Corporation (FHFC) may provide low-interest loans for construction or rehabilitation of workforce housing in the

Florida Keys Area of Critical State Concern, provided that the loans:
 (a) Do not exceed the lesser of 50 percent of development costs as defined in s. 420.503(13) or the minimum amount required to make the project economically feasible.
 (b) Bear interest rates of 1 to 3 percent, where long term affordability is provided and guaranteed for units set aside for workforce housing for essential services personnel.

The FHFC shall select projects for funding by competitive solicitation as provided in s. 420.507(48), including consideration of factors contained in 420.5087(6)(c). The applicant must prove that it has site control of the proposed project site or sites and provides evidence that infrastructure sufficient to support the project is in place at the time of application. Projects must demonstrate support from the local government through funding grants, fee waivers, donations of land, contributions, or other tangible assistance.

From the funds provided in Specific Appropriation 2223, \$20 million from the Local Government Housing Trust Fund is provided for the SAIL program to construct workforce housing to primarily serve low-income persons, as defined in S. 420.0004(11), Florida Statutes.

Funds in Specific Appropriation 2223 from the Local Government Housing Trust Fund may be used for training and technical assistance provided through the Affordable HousingCatalyst Program created by s. 420.531, Florida Statutes.

2224 SPECIAL CATEGORIES
 GRANTS AND AIDS - HOUSING FINANCE
 CORPORATION (HFC) - STATE HOUSING
 INITIATIVES PARTNERSHIP (SHIP) PROGRAM

From the funds in Specific Appropriation 2224, each local government must use a minimum of 20 percent of its allocation to serve persons with special needs as defined in section 420.0004, Florida Statutes. Before this portion of the allocation is released by the Florida Housing Finance Corporation (FHFC), a local government must certify that it will meet this requirement through existing approved strategies in the local assistance plan or submit a new local housing assistance plan strategy for this purpose to the FHFC for approval to ensure that it meets these specifications. The first priority of these special needs funds must be to serve persons with developmental disabilities as defined in section 393.063, Florida Statutes, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership.

From the funds in Specific Appropriation 2224, \$7,200,000 shall be used to provide services to homeless persons. Of the \$7,200,000, \$7,000,000 shall be transferred to the Department of Children and Families to implement the provisions of section 420.622, Florida Statutes, and \$200,000 shall be used by the Department of Economic Opportunity to provide training and technical assistance regarding affordable housing to designated lead agencies of homeless assistance continuums of care.

From the funds in Specific Appropriation 2241, local governments may create regional partnerships across jurisdictional boundaries through the pooling of appropriated funds to address homeless housing needs identified in local housing assistance plans.

PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

2229 LUMP SUM
 ECONOMIC DEVELOPMENT TOOLS

The funds in Specific Appropriation 2229 are contingent upon Committee Substitute for Senate Bill 1646 or similar legislation becoming law; of these funds, \$100 million from the General Revenue Fund is contingent upon the entry of an order by the United States District Court in the Middle District of Louisiana as a final settlement by and between the United States, the five Gulf States and the BP entities in In Re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico on April 20, 2010 (Case No. MDL No. 2179), the receipt into the General Revenue Fund of not less than \$400 million as partial payment of the economic damages awarded to the State of Florida under the final settlement, and Specific Appropriation 2229 becoming law.

From the funds provided in Specific Appropriation 2229, the Department of Economic Opportunity must first make payments and tax refunds in Fiscal Year 2016-2017 for the following programs: Qualified Target Industry (QTI) Business Tax Refund; QTI Tax Refund - Brownfield Redevelopment Bonus; Brownfield Redevelopment Tax Refund; High-Impact Business Performance (HIPI) Grant; Qualified Defense Contractor and Space Flight (QDSC) Business Tax Refund; and Innovation Incentive Fund (IIF) Grant. Payments may only be made for projects that meet the statutory eligibility requirements. Funds may not be released for any other purpose and may only be disbursed when projects are certified to have met all contracted performance requirements. Funds provided in Specific Appropriation 2229 from the Economic Development Trust Fund represent local matching funds.

The Department of Economic Opportunity must provide monthly reports, within 10 business days after the end of each month, to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee regarding all escrow activity and the repayment of any interest to the appropriate fund in the state treasury. Such report must include the anticipated payment date(s) of all funds held in escrow.

The Department of Economic Opportunity shall provide monthly reports to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee on the status of economic development programs administered by the department under section 288, Florida Statutes.

2230 SPECIAL CATEGORIES
GRANTS AND AIDS - INSTITUTE FOR THE
COMMERCIALIZATION OF PUBLIC RESEARCH

From the recurring funds provided in the State Economic Enhancement and Development Trust Fund in Specific Appropriation 2230, \$1,500,000 is provided for on-going operations of the Institute for the Commercialization of Public Research (ICPR) and the \$5,000,000 are provided for seed stage funds to be allocated by the ICPR.

2233 SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL
RELATIONSHIPS

The recurring funds provided in Specific Appropriation 2233 are allocated as follows:

| | |
|---|---------|
| CAMACOL - Florida Trade and Exhibition Center..... | 400,000 |
| Southeast US/Japan Association & Florida/Korea Economic Cooperation Committee..... | 200,000 |

The Department of Economic Opportunity shall directly contract with these entities.

2234 SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS

From the funds provided in Specific Appropriation 2234, \$XX,XXX,XXX nonrecurring funds from the State Economic Enhancement and Development Trust Fund are allocated as follows:

Subcommittee decisions to be inserted.

The Department of Economic Opportunity shall directly contract with the entities allocated funds from Specific Appropriation 2234.

2235 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

From the funds provided in Specific Appropriation 2235, the Department of Economic Opportunity must first contract for an independent third-party to verify that each business that receives an economic development incentive satisfies all of the requirements of the incentive agreement, including job creation numbers. These comprehensive performance audit functions must include reviewing: 100 percent of all incentive claims, including audit confirmations; procedures used to verify incentive eligibility; and the department's records for accuracy and completeness. The independent third-party contractor must perform all functions and conduct all of the activities necessary to verify compliance with the performance terms of economic development incentive contracts.

2236 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SPORTS
FOUNDATION

From the recurring funds in Specific Appropriation 2236 from the State Economic Enhancement and Development Trust Fund, \$200,000 is allocated for the Sunshine State Games and \$500,000 is allocated for the Florida International Seniors Games and State Championships.

2237 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA
PROGRAM

From the International Trade and Promotion Trust Fund in Specific Appropriation 2237, \$4,550,000 is allocated for international programs, and \$2,050,000 is allocated to maintain Florida's international offices.

From the funds in Specific Appropriation 2237, Enterprise Florida, Inc. (EFI), shall implement a program to certify sites as project-ready for commercial or industrial development in rural areas of opportunity and economically distressed areas. Areas that are economically distressed must be evidenced by adverse conditions within the area including, but not limited to, poverty or unemployment rates above the state average, a high incidence of crime, abandoned structures, deteriorated infrastructure, or substantial population declines. For a site to be certified, EFI may consider site specific criteria related to: minimum developable acres; availability of infrastructure and utilities on site, or a formal extension plan in place; completion of boundary survey and topographic maps; documentation of environmental conditions and geotechnical analysis; and other factors which minimize risk factors for business development.

2238 SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION

Funds in Specific Appropriation 2238 are allocated as follows:

| | |
|-------------------------------|---------|
| Military Base Protection..... | 150,000 |
| Defense Reinvestment..... | 850,000 |

Funds provided in Specific Appropriation 2252 may only be disbursed from the Department of Economic Opportunity directly to the grant award recipient when projects are certified to have met all contracted performance requirements.

2240 SPECIAL CATEGORIES
GRANTS AND AIDS - VISIT FLORIDA

From the recurring funds provided in Specific Appropriation 2240 from the Tourism Promotional Trust Fund, VISIT FLORIDA must spend \$6,000,000 to create, produce, distribute, and market entertainment industry productions that are filmed in Florida and promote this state as a tourist destination.

2242 SPECIAL CATEGORIES
GRANTS AND AIDS - SPACE FLORIDA

From the funds in Specific Appropriation 2242, \$1,000,000 of recurring funds from the State Economic Enhancement and Development Trust Fund is provided to support collaborative research, development, and commercialization of projects related to aerospace and other technology and life sciences as further described through a Memorandum of Understanding (MOU) which Space Florida has entered into with the State of Israel.

From the funds in Specific Appropriation 2242, \$1,500,000 of recurring funds from the State Economic Enhancement and Development Trust Fund shall be used to market and promote the space tourism industry in the State of Florida. Funds may also be used to support marketing and promotion initiatives undertaken by businesses engaged in or relating to the space tourism industry in the State of Florida, which shall include but not be limited to Spaceflight entities as defined in section 331.501, Florida Statutes, and entities related to launch and landing sites or launch and landing facilities. No later than February 3, 2016, Space Florida shall submit a report to the Governor, the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Department of Economic Opportunity which shall include at a minimum: an overview of the marketing initiatives executed;

consumer reach of the marketing initiatives executed; methods, strategies, and messages utilized; total expenditures; and total impact achieved, financial and otherwise, to the space tourism industry in the State of Florida.

2245 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE

Funds provided in Specific Appropriation 2245 may only be disbursed from the Department of Economic Opportunity directly to the grant award recipient when projects are certified to have met all contracted performance requirements.

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: EMERGENCY MANAGEMENT

EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE

The Division of Emergency Management must submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the Executive Office of the Governor, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

2551 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE AND FEDERAL
DISASTER RELIEF OPERATIONS -
ADMINISTRATIVE

From the funds provided in Specific Appropriation 2551, \$250,000 is allocated to contract with a not-for-profit corporation to conduct a statewide public education campaign on television and radio to promote hurricane preparedness. Funds must be matched on a 3 to 1 basis for this purpose.

2561 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS
MITIGATION

Grants and Donations Trust Funds in the following Specific Appropriations reflect the transfer of \$7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes, as follows:

| | |
|---|-----------|
| Salaries and Benefits (SA #XXXX)..... | 73,407 |
| Other Personal Services (SA #XXXX)..... | 214,717 |
| Expenses (SA #XXXX)..... | 178,793 |
| Operating Capital Outlay (SA #XXXX)..... | 7,500 |
| Contracted Services (SA #XXXX)..... | 141,532 |
| Risk Management Services (SA #XXXX)..... | 1,392 |
| Transfer to DMS - Human Resources Services (SA #XXXX)..... | 1,342 |
| State Data Center - Agency for State Technology (SA #XXXX)..... | 9,234 |
| Grants and Aids - Hurricane Loss Mitigation (SA # 2561).... | 6,301,581 |
| Indirect Costs..... | 70,502 |

These funds must be used for Hurricane Loss Mitigation programs as specified in section 215.559, Florida Statutes. The funds allocated in section 215.559(2)(a), Florida Statutes, must be distributed directly to Tallahassee Community College for the uses described in section 215.559(2)(b), Florida Statutes.

2568 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY MANAGEMENT CRITICAL FACILITY
NEEDS

Funds in Specific Appropriation 2568 from the Grants and Donations Trust Fund reflect the transfer of \$3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to 215.555(7)(c), Florida Statutes. These funds shall be used to retrofit existing facilities used as public hurricane shelters as specified in section 215.559(1)(b), Florida Statutes.

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

2589 SPECIAL CATEGORIES
OVERTIME

From the funds in Specific Appropriation 2589, the Department of Highway Safety and Motor Vehicles shall allocate funds as necessary to efficiently manage overtime activities of the Florida Highway Patrol.

PROGRAM: MOTORIST SERVICES

MOTORIST SERVICES

2627 SPECIAL CATEGORIES
CONTRACTED SERVICES

From the funds in Specific Appropriation 2627, \$300,000 of nonrecurring funds from the Highway Safety Operating Trust Fund are provided to the American Bikers Aiming Toward Education of Florida, Inc. (ABATE) for the purpose of promoting motorcycle safety awareness through public information and education campaigns.

PROGRAM: INFORMATION SERVICES ADMINISTRATION

INFORMATION SERVICES ADMINISTRATION

2644 SPECIAL CATEGORIES
CONTRACTED SERVICES

From the funds in Specific Appropriation 2644, \$8,749,351 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided for the Motorist Modernization project. The department is authorized to submit quarterly budget amendments to request release of the funds being held in reserve pursuant to the provisions of chapter 216, Florida Statutes, and based on the department's planned quarterly expenditures. The budget amendments shall include a detailed operational work plan, project spending plan, and progress made to date for each project milestone, planned and actual deliverable completion dates, planned and actual costs incurred, and any current project issues and risks being managed. The department shall submit quarterly project status reports to the Executive Office of the Governor's Office of Policy and Budget and the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee.

From the funds in Specific Appropriation 2644, \$6,563,775 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided to for the Department of Highway Safety and Motor Vehicles to upgrade its existing database environment, implement a platform for data synchronization, establish a staging environment, implement a test data management toolset and acquire a managed disaster recovery service, all of which are necessary to support the department's Motorist Modernization project and current operations. These funds shall be placed in reserve. Contingent upon the department submitting a cost benefit analysis analyzing the different options, to include cloud computing services, for securing the hardware and software necessary to support these initiatives, the department is authorized to submit budget amendments requesting release of funds held in reserve pursuant to the provisions of chapter 216, Florida Statutes. The budget amendments shall include a detailed implementation plan and spend plan.

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE

MILITARY READINESS AND RESPONSE

2931 FIXED CAPITAL OUTLAY
FLORIDA READINESS CENTERS REVITALIZATION
PLAN - STATEWIDE

Funds in Specific Appropriation 2931 are provided for the restoration and revitalization of the West Palm Beach (Calloway) Armory.

STATE, DEPARTMENT OF

PROGRAM: ELECTIONS

ELECTIONS

3064 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ELECTION

ACTIVITIES (HELP AMERICA VOTE ACT)

Funds in Specific Appropriation 3064 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

Also, before a county supervisor of elections receives funds for any software or hardware technology, including, but not limited to any emerging technology that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results, the software or technology must first be certified or approved, whichever is applicable by the Department of State. Additionally, before the Supervisor can receive funds for emerging or enhancing technology, the county supervisor of elections and the chairperson of the county governing body must certify that the county has purchased and made available sufficient equipment for casting and counting ballots to meet the needs of the county electors including reducing the wait time at the polls during the early voting period and on election day for the next regularly scheduled general election.

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining on June 30 of each fiscal year.

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

3073 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC PRESERVATION
GRANTS

From the funds in Specific Appropriation 3073, \$1,500,000 of recurring funds and \$268,535 of nonrecurring funds from the Land Acquisition Trust Fund are provided for the 2016-2017 Small Matching Grant ranked list in its entirety, as provided on the Department of State website.

3077A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES -
ACQUISITION, RESTORATION OF HISTORIC
PROPERTIES

From the funds in Specific Appropriation 3077A, \$5,877,279 of nonrecurring funds from the Land Acquisition Trust Fund are provided for the 2016-2017 Special Category Grants ranked list as provided on the Department of State website.

From the funds in Specific Appropriation 3077A, \$5,914,713 of nonrecurring funds from the General Revenue Fund shall be allocated as follows:

| | |
|--|-----------|
| Marjory Stoneman Douglas Biscayne Nature Center..... | 500,000 |
| Historic Wauchula City Hall/AuditoriumRestoration..... | 500,000 |
| Vizcaya Museum and Gardens Trust, Inc..... | 1,000,000 |
| Clearwater Historical Society-Historic South Ward School.... | 843,500 |
| Hotel Ponce De Leon Restoration..... | 1,000,000 |
| Pioneer Florida Museum..... | 53,500 |
| USS Adams Museum..... | 500,000 |
| Deering Estate - Cultural and Ecological Field Station..... | 500,000 |
| William Weech American Legion Post 168 - Key West..... | 154,000 |
| Wells Built Museum..... | 250,000 |
| American Legion Orange Baker Post 187..... | 100,155 |
| Bethel African Methodist Episcopal Church Restoration..... | 340,956 |
| Masonic Lodge in Rosewood..... | 172,602 |

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

3097A FIXED CAPITAL OUTLAY
LIBRARY CONSTRUCTION GRANTS

From the funds in Specific Appropriation 3097A, \$2,000,000 of nonrecurring general revenue funds is provided for the 2016-2017 Library Construction Grants list in its entirety, as provided on the Department of State website.

From the funds in Specific Appropriation 3097A, \$1,000,000 of nonrecurring general revenue funds shall be allocated for the expansion of the East Lake Community Library in Palm Harbor.

PROGRAM: CULTURAL AFFAIRS

CULTURAL AFFAIRS

3101 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CULTURAL GRANTS

Funds in Specific Appropriation 3101 are provided for the Actor's Playhouse Performing Arts Program in the City of Coral Gables.

3103 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL AND MUSEUM
GRANTS

From the funds in Specific Appropriation 3103, \$5,000,000 of recurring general revenue funds, \$4,000,000 of nonrecurring funds from the Grants and Donations Trust Fund, and \$10,460,000 of nonrecurring general revenue funds are provided for the 2016-2017 General Program Support ranked list, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3103 shall be allocated as follows:

| | |
|--|---------|
| Adrienne Arsht Center Performing Arts Program..... | 65,000 |
| Spady Museum..... | 20,000 |
| Actor's Playhouse Performing Arts Program..... | 150,000 |

3103B SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN
HERITAGE PRESERVATION NETWORK

Funds in Specific Appropriation 3103B from nonrecurring general revenue shall be provided to the Florida African American Heritage Preservation Network (FAAHPN) to be used as follows: (a) 70 percent for grants to its affiliate organizations for technology and equipment acquisitions, content and exhibit development, preservation of documents and artifacts, or other eligible expenses as determined by the FAAHPN; (b) 15 percent for FAAHPN activities that serve affiliates, including, but not limited to, informational and technical assistance, professional development, marketing and promotions, regional or statewide conferences, or other activities that benefit the organization or its affiliates; and (c) 15 percent for FAAHPN administrative costs. The FAAHPN shall submit an annual report of expenditures, including grant funds disbursed, to the Department of State in a format approved by the department. No affiliate organization may be awarded more than 5 percent of the total amount of grants awarded pursuant to this appropriation.

3108A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES -
CULTURAL FACILITIES PROGRAM

From the funds in Specific Appropriation 3108A, \$6,493,424 of nonrecurring general revenue funds are provided for the 2016-2017 Cultural Facilities ranked list, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3108A shall be allocated as follows:

SENATE PCB 2500

| | |
|---|-----------|
| Ruth Eckerd Hall Expansion..... | 1,000,000 |
| Tampa Theatre Facility Master Plan..... | 1,000,000 |
| Clearwater Marine Aquarium Dolphin Pool Construction..... | 1,000,000 |
| Norton Museum of Art..... | 1,000,000 |
| Florida Agricultural Museum..... | 500,000 |
| Forest Capital Hall Renovation..... | 152,327 |
| YSPB's Choir in the Glades..... | 100,000 |
| PIAG Museum..... | 250,000 |
| Sankofa Project - Black Cultural Tourism..... | 1,000,000 |
| The Peter Powell Roberts Museum of Art & Culture..... | 250,000 |
| Dunedin Museum Expansion..... | 395,000 |

SECTION 8. The unexpended balance of funds provided to the Department of State from the Federal Grants Trust Fund for the implementation of the Online Voter Registration System in Section 3 of chapter 2015-36, Laws of Florida, is hereby reverted and appropriated for Fiscal Year 2016-2017 to the Department of State for the same purpose. This section shall take effect upon becoming law.

Implementing Bill FY 16-17

| Line No. | SPB 2502 FY 16-17: Bill Section | Description | SPB 2502, FY 16-17: Specific Appropriation(s) Implemented | Ch. 2015-222 LOF: Specific Appropriation(s) Implemented | F.S. Cited |
|----------|---------------------------------------|--|---|---|-------------|
| 48 | | Transportation and Economic Development | | | |
| 49 | 53 | FDOT - TRAILS. Notwithstanding ss. 339.135(4)(i), 339.135(5)(a) and 339.135(5)(b), F.S., the Department of Transportation shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016, in the department's 5-year work program. | | 1916 | 339.135 |
| 50 | 54 | FDOT - SMALL COUNTY OUTREACH PROGRAM In order to implement Specific Appropriation 1911, amends section 339.2818, Florida Statutes to enable counties with populations of 170,000 or less to be eligible for the Small County Outreach Program that provides funding for county road and county bridge repairs and capacity improvements. | | 1911 | 339.2818 |
| 51 | 55, 56 | FDOT - QUIET ZONES. In order to implement Specific Appropriation 1894, amends s. 341.302(10), F.S., to enable Department of Transportation to use program funds to administer Quiet Zone grants, technical support, and safety monitoring. | | 1894 | 341.302(10) |
| 52 | 57, 58 | FDOT - SMALL COUNTY ROAD ASSISTANCE (SCRAP) PROGRAM. Authorizes the Department of Transportation to use up to \$50 million from the State Transportation Trust Fund for the purposes of funding the Small County Road Assistance Program in the 5-year work program for the 2016-17 fiscal year. | | 1910 | 339.2816(3) |

Implementing Bill FY 16-17

| Line No. | SPB 2502 FY 16-17: Bill Section | Description | SPB 2502, FY 16-17: Specific Appropriation(s) Implemented | Ch. 2015-222 LOF: Specific Appropriation(s) Implemented | F.S. Cited |
|----------|---------------------------------------|--|---|---|---------------------------|
| 53 | 53 | <p>REGIONALLY SIGNIFICANT TRANSPORTATION PROJECTS. Amends s. 339.135, F.S., to allow the Department of Transportation (DOT) to use up to \$15 million of the funds appropriated for the TRIP Program for a 75 percent state match for strategic and regionally significant production-ready projects.</p> | | | 339.135 (4)(j) and (5)(c) |

Implementing Bill FY 16-17

| Line No. | SPB 2502 FY 16-17: Bill Section | Description | SPB 2502, FY 16-17: Specific Appropriation(s) Implemented | Ch. 2015-222 LOF: Specific Appropriation(s) Implemented | F.S. Cited |
|----------|---------------------------------------|---|---|---|---|
| 54 | 59 | <p>DEO - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM - RENTAL ASSISTANCE AND RENT SUBSIDIES</p> <p>Amends s. 420.9072, F.S., to provide that notwithstanding ss. 420.9071(26), s. 420.9075(5), and s. 420.9072(7), F.S., for the 2016-2017 fiscal year:</p> <p>(a) The term "rent subsidies" means on-going monthly rental assistance.</p> <p>(b) Up to 25 percent of the funds made available in each county and each eligible municipality from the local housing distribution may be used for rental assistance and rent subsidies as provided in subsection (c).</p> <p>(c) A county or eligible municipality may expend its portion of the local housing distribution to provide the following types of rental assistance and rent subsidies:</p> <ol style="list-style-type: none"> 1. Security and utility deposit assistance. 2. Eviction prevention subsidies not to exceed 6 months' rent. 3. Rent subsidies for very-low-income households with at least one adult who is a person with special needs as defined in s. 420.0004, F.S., or a homeless person as defined in s. 420.621, F.S.. The period of rental subsidy may not exceed 12 months for any eligible household or person. | | 2241 | <p>420.9072</p> <p>420.9071(26)</p> <p>420.9075(5)</p> <p>420.9072(7)</p> |

Implementing Bill FY 16-17

| Line No. | SPB 2502 FY 16-17: Bill Section | Description | SPB 2502, FY 16-17: Specific Appropriation(s) Implemented | Ch. 2015-222 LOF: Specific Appropriation(s) Implemented | F.S. Cited |
|----------|---------------------------------------|---|---|---|------------|
| 55 | 60 | <p>DEO - FHFC STATE APARTMENT INCENTIVE LOAN (SAIL) PROGRAM - TENANT GROUP SET-ASIDES AND EXCEPTION TO SERVE ADDITIONAL PERSONS</p> <p>Amends s. 420.5087, F.S., to provide that notwithstanding subsection (3), for the 2016-2017 fiscal year, the reservation of funds for the tenant groups within each notice of fund availability shall be:</p> <ol style="list-style-type: none"> 1. Not less than 10 percent of the funds available for the following tenant groups: families, persons who are homeless, persons with special needs, and elderly persons. 2. Not less than 5 percent of the funds available for the commercial fishing workers and farmworkers tenant group. <p>Provides that notwithstanding the provisions of s. 420.5087, F.S., that require SAIL program funds be used for housing very-low income persons and that specified percentages of the units in a project be reserved for persons of specified income levels, for the 2016-2017 fiscal year, the Florida Housing Finance Corporation shall issue a notice of fund availability for \$20 million for loans to construct workforce housing to primarily serve low-income persons.</p> | | 2240 | 420.5087 |

Implementing Bill FY 16-17

| Line No. | SPB 2502 FY 16-17: Bill Section | Description | SPB 2502, FY 16-17: Specific Appropriation(s) Implemented | Ch. 2015-222 LOF: Specific Appropriation(s) Implemented | F.S. Cited |
|----------|---------------------------------------|--|---|---|------------|
| 56 | | <p>DEO - QUICK RESPONSE TRAINING (QRT) PROGRAM Amends s. 288.047, F.S., to:</p> <p>(1) Authorize CareerSource Florida, Inc., to execute QRT agreements with terms not to exceed 24 months; however the total amount of contractual obligations at any given time may not exceed \$30 million. Reimbursements approved for payment during a fiscal year may not exceed the appropriation for that fiscal year. DEO shall only transfer funds to CareerSource Florida as needed to make payments but may request an advance for the first quarter.</p> <p>(2) Replaces an obsolete reference to an "enterprise zone" with "rural area of opportunity" for purposes of the six month set aside to fund training programs for businesses located in certain areas.</p> <p>(3) Makes a requirement that educational institutions must be a party to QRT agreements (in addition to the business and CareerSource Florida) permissive.</p> <p>(4) Clarifies that matching contributions under the QRT program that are <i>actually received</i> during the fiscal year (rather than <i>projected</i>) may be counted toward EFI's private sector match requirement.</p> | | | 288.047 |

Implementing Bill FY 16-17

| Line No. | SPB 2502 FY 16-17: Bill Section | Description | SPB 2502, FY 16-17: Specific Appropriation(s) Implemented | Ch. 2015-222 LOF: Specific Appropriation(s) Implemented | F.S. Cited |
|----------|---------------------------------------|--|---|---|------------|
| | | <p>TRANSPORTATION DISADVANTAGED PROGRAM SUPPORT FOR UNDERSERVED POPULATIONS Amends s. 427.013, F.S. to provide for a one-time distribution of an accrued cash balance in Transportation Disadvantaged Trust Fund in order to assist underserved transportation disadvantaged populations. Provides for the following distributions to community transportation coordinators:</p> <ul style="list-style-type: none"> (1) Allocate to non-urbanized counties; (2) Award competitive grants to enhance transit for employment; and (3) Award competitive grants to enhance access to life services, increase the number of trips provided, promote coordination, and encourage transit provider participation. | | | 427.013 |

By the Committee on Transportation; and Senators Soto and Flores

596-02371-16

2016522c1

1 A bill to be entitled
2 An act relating to traffic safety on state roads;
3 creating s. 335.085, F.S.; providing a short title;
4 requiring the Department of Transportation to install
5 roadside barriers to shield water bodies contiguous
6 with state roads at certain locations by a specified
7 date under certain circumstances; providing
8 applicability; requiring the department to conduct a
9 study related to certain motor vehicle accidents on
10 state roads contiguous with water bodies which
11 occurred during a specified timeframe, subject to
12 certain requirements; requiring the department to
13 submit a report to the Legislature by a specified
14 date, subject to certain requirements; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Section 335.085, Florida Statutes, is created to
20 read:

21 335.085 Installation of roadside barriers along certain
22 water bodies contiguous with state roads.-

23 (1) This section shall be cited as "Chloe's Law."

24 (2) By June 30, 2018, the department shall install roadside
25 barriers to shield water bodies contiguous with state roads at
26 locations where a death due to drowning resulted from a motor
27 vehicle accident in which a vehicle departed the adjacent state
28 road during the period between July 1, 2006, and July 1, 2016.
29 This requirement does not apply to any location at which the
30 department's chief engineer determines, based on engineering
31 principles, that installation of a barrier would increase the
32 risk of injury to motorists traveling on the adjacent state

596-02371-16

2016522c1

33 road.

34 Section 2. The Department of Transportation shall review
35 all motor vehicle accidents that resulted in death due to
36 drowning in a water body contiguous with a state road and that
37 occurred during the period between July 1, 2006, and July 1,
38 2016. The department shall use the reconciled crash data
39 received from the Department of Highway Safety and Motor
40 Vehicles and shall submit a report to the President of the
41 Senate and the Speaker of the House of Representatives by
42 January 3, 2017, providing recommendations regarding any
43 necessary changes to state laws and department rules to enhance
44 traffic safety.

45 Section 3. This act shall take effect July 1, 2016.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: CS/SB 522

INTRODUCER: Transportation Committee and Senator Soto and others

SUBJECT: Traffic Safety on State Roads

DATE: January 22, 2016

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|-------------------------------|
| 1. | Price | Eichin | TR | Fav/CS |
| 2. | Sneed | Miller | ATD | Recommended: Favorable |
| 3. | | | AP | |

Please see Section IX. for Additional Information:

PLEASE MAKE SELECTION

I. Summary:

CS/SB 522, cited as “Chloe’s Law,”¹ requires the Florida Department of Transportation (FDOT), by June 30, 2018, to install roadside barriers to shield water bodies contiguous with state roads where a death due to drowning resulted from a motor vehicle accident in which a vehicle departed the adjacent state road during the period between July 1, 2006, and July 1, 2016.

The bill also requires the FDOT to review all such motor vehicle accidents, using reconciled crash data received from the Department of Highway Safety & Motor Vehicles (DHSMV), and submit a report, providing recommendations regarding any necessary changes to state laws and to the FDOT’s rules to enhance traffic safety.

The FDOT estimates the installation of the additional guardrails at \$2.4 million. However, the cost is expected to increase for those sites that require a different type of roadside barrier.

The bill takes effect July 1, 2016.

¹ Chloe Arenas was a 21-year old UCF student who died on June 28, 2015, when her car left the road and went into a bordering pond. See the Central Florida Future article: <http://www.centralfloridafuture.com/story/news/2015/07/09/friends-family-petition-chloes-law-to-protect-drivers/29930455/>. Last visited January 13, 2016.

II. Present Situation:

Florida reportedly leads the nation in drowning deaths associated with motor vehicle accidents. This result may be partly explained by the larger number of miles of road with water frontage in Florida relative to other states. Nonetheless, according to one newspaper's review of federal crash data during the five-year period from 2008 to 2012, 49 people drowned inside vehicles in Florida. Texas followed with 18 deaths, 14 in Indiana, and 10 each in Louisiana and Arizona.²

While current law does not appear to specifically address guardrail installations, the FDOT does adhere to published engineering principles with respect to "canal hazards." Whether these standards apply to water bodies that do not fit the definition of a canal hazard is unclear.

Existing FDOT Requirements

Research reveals no current statutory provision relating to guardrail installation along water bodies that are contiguous with state roads. However, the FDOT's 2016 Plans Preparation Manual (PPM)³ does define "canal hazard" as follows:

A canal hazard is defined as an open ditch parallel to the roadway for a minimum distance of 1000 feet and with a seasonal water depth in excess of 3 feet for extended periods of time (24 hours or more).⁴

The PPM also addresses "clear zones," which are defined as the amount of recoverable area provided beyond the traveled way, and which include shoulders and bike lanes. A clear zone is intended to provide "an opportunity for an errant vehicle to safely recover." The PPM generally prohibits aboveground fixed objects, water bodies, and non-traversable slopes⁵ in the clear zone.⁶ The required clear zone is dependent upon the type of roadway facility and the design speed.⁷

The FDOT advises that water bodies greater than three feet deep are treated as roadside hazards and must be outside the clear zone, if possible.⁸

² See the Orlando Sentinel article: <http://www.orlandosentinel.com/news/os-cars-crash-into-lakes-20141108-story.html>. Last visited January 16, 2016.

³ The PPM recites that it "sets forth geometric and other design criteria, as well as procedures, for Florida Department of Transportation (FDOT) projects. The information contained herein applies to the preparation of contract plans for roadways and structures." See the FDOT's website, heading "Introduction":

<http://www.dot.state.fl.us/rddesign/PPMManual/2016PPM.shtm>. Last visited January 13, 2016.

⁴ See the FDOT's website, heading "Chapter 4," subheading "4.3.2.":

<http://www.dot.state.fl.us/rddesign/PPMManual/2016PPM.shtm>. Last visited January 13, 2016.

⁵ A non-traversable slope is classified as a slope that is rough, obstructed, or slopes steeper than a 1:3 ratio. *Supra* note 4, subheading "4.2.2" and "4.2.3."

⁶ *Supra* note 4, subheading "4.2.2" and "4.2.3."

⁷ See the FDOT's SB 522 bill analysis, July 1, 2016, at p. 2. (On file in the Senate Transportation Committee.)

⁸ *Supra* note 6.

The PPM contains special lateral offset⁹ requirements that apply to canal hazards that exceed standard clear zone distances. Generally, the minimum required distances are:

- Not less than 60 feet for flush shoulder roadways with design speeds of 50 mph or greater.
- Not less than 50 feet for flush shoulder roadways with design speeds less than 50 mph.
- Not less than 50 feet for curb or curb and gutter roadways.¹⁰

If a canal hazard cannot be located outside the required clear zone, the canal hazard must be shielded.¹¹ The PPM provides the following instructions in such cases:

Shield the canal hazard with an approved roadside barrier when the required minimum lateral offset cannot be met. Locate barrier as far from the travel way as practical. When shielding canal hazards locate the barrier outside of the clear zone where possible. Locate guardrail no closer than 6 feet from the canal front slope and place high tension cable barrier no closer than 15 feet from the canal front slope.¹²

The FDOT's Previous Study and Conclusions

The FDOT advises¹³ the canal hazard criteria contained in the PPM were incorporated following a study conducted between February 2013 and July 2014, based on crash data from 2003 to 2011.¹⁴ The study included cost-benefit analyses of shielding parallel water bodies of various lengths and offset distances from the roadway for selected roadway types and traffic volumes, the findings of which “show that shielding water bodies based on FDOT’s current offset clearance requirements in most cases is cost beneficial and/or results in a reduction in societal crash costs.”¹⁵

The FDOT concluded that its criteria for shielding canal hazards are reasonable.¹⁶ Further, the FDOT concluded:

A benefit cost analysis shows that increasing the clearance requirement from 60 feet to 80 feet on limited access roadways may be cost beneficial. However, such an increase may not be warranted given the following:

- Actual crash experience does not indicate increasing the clearance requirement will result in significant benefit.
- Increasing the clearance requirement in certain cases may result in higher crash costs due to the presence of additional barriers.

⁹ A canal hazard lateral offset is the distance from the edge of the travel lane, auxiliary lane, or ramp to the top of the canal side slope nearest the road. *Supra* note 2.

¹⁰*Supra* note 3.

¹¹*Supra* note 6.

¹²*Supra* note 3.

¹³*Supra* note 6

¹⁴See the FDOT documentation, “A Re-examination of FDOT Criteria for Shielding Canal Hazards.” (On file in the Senate Transportation Committee.) The document reflects an extensive review of the history of the FDOT’s design criteria since it was first established in 1965.

¹⁵*Id.*, at “Task 5 – Benefit Cost Analysis.”

¹⁶*Id.*, at “Task 6 – Conclusions and Recommendations.”

- None of the four states interviewed in this study (Texas, Louisiana, Minnesota, and Michigan) have clearance requirements as stringent as Florida's current requirements.

The 1000' length definition should be retained.

- A cost benefit analysis indicates shielding parallel lengths shorter than 1000' is generally not cost beneficial. The exception is on high speed volume limited access roadways. Yet these type roadways had no fatal crashes into parallel water bodies less than 1000' in length from 2007 through 2011.
- Applying the criteria to water bodies less than 1000' may result in higher crash costs due to the presence of additional barriers.¹⁷

Barrier Type Selection

The FDOT indicates that guardrails are not the only potential way to shield water hazards.¹⁸ A number of different types of barriers are reflected in the FDOT's PPM. The PPM instructs as follows:

The evaluation of numerous factors is required to ensure that the appropriate barrier type is selected for a given application. Provide consideration for the following factors when evaluating each particular site:

1. Barrier Placement requirements (see Section 4.4.6);
2. Traffic characteristics (e.g. vehicles types/percentages, volume, and growth);
3. Site characteristics (e.g. terrain, alignment, geometry, access facility type, access locations, design speed, etc.);
4. Expected frequency of impacts;
5. Initial and replacement/repair costs;
6. Ease of maintenance;
7. Exposure of workers when conducting repairs/maintenance; and
8. Aesthetics¹⁹

Further, the PPM provides the following guidance:

The evaluation of Roadside Safety is highly dependent on site specific conditions and constraints which are unique to a given situation. Therefore the determination as to when shielding is warranted for [a] given roadside feature must be made on a case-by-case basis, and generally requires engineering judgment. It should be noted that the installation of roadside barriers presents a hazard in and of itself, and as such, the designer must

¹⁷*Id.*

¹⁸*Supra* note 6, at p. 4. (On file in the Senate Transportation Committee.)

¹⁹*Supra* note 3, subheading "4.4.5."

analyze whether or not the installation of a barrier presents a greater risk than the feature it is intended to shield.²⁰

Application to Water Bodies Other Than Canal Hazards

As previously noted, whether the provisions of the PPM applicable to canal hazards, and shielding of such hazards, are also applicable to other water bodies, such as ponds, is unclear. To illustrate, in the evaluation of roadside hazards, the PPM recommends barriers “when hazards exist within the clear zone, hazards cannot be cost effectively eliminated or corrected, and collisions with the hazards are more serious than collisions with the barriers.”²¹

When listing conditions within the clear zone that are normally considered more hazardous than a roadside barrier, “canals, ponds, and other bodies of water (*other than parallel ditches*)”²² are included. Thus, it appears that water bodies may exist that do not meet the definition of a canal hazard, defined in part as an “open ditch parallel to the roadway.”

III. Effect of Proposed Changes:

The bill creates s. 335.085, F.S., requiring the FDOT, by June 30, 2018, to install roadside barriers to shield water bodies contiguous with state roads at locations where a death due to drowning resulted from a motor vehicle accident in which a vehicle departed the adjacent state road between July 1, 2006, and July 1, 2016. This provision appears to require barrier installation, as specified, along water bodies that do not necessarily meet the FDOT’s definition of a “canal hazard.” However, because crash reports do not always reflect that a death was due to drowning, the FDOT is unable to definitively identify all locations where such deaths occurred in the period of time identified in the bill.

The bill also provides that the barrier installation requirement does not apply to any location at which the FDOT’s chief engineer determines, based on engineering principles, that installation of a barrier would increase the risk of injury to motorists traveling on the adjacent

In addition, the bill requires the FDOT to review all motor vehicle accidents that resulted in death due to drowning in a water body contiguous with a state road which occurred during the same period. The FDOT must use reconciled²³ crash data from the DHSMV and submit a report to the President of the Senate and Speaker of the House by January 3, 2017, providing recommendations for any necessary changes to state laws and the FDOT’s rules to enhance traffic safety.

²⁰ *Supra* note 4, subheading “4.4.7.”

²¹ *Supra* note 4, subheading “4.4.7.1.”

²² Emphasis added.

²³ The process of reconciling involves ensuring the data taken from fatality crash reports and included in the DHSMV’s crash database is accurate. *See* DHSMV email to committee staff, January 20, 2016. On file in the Senate Transportation Committee.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

The FDOT provided a spreadsheet attachment to its SB 522 analysis which appears to identify deaths between 2006 and 2015 reported on specified crash report form numbers, as well as costs associated with additional *guardrail* installation at the identified locations. The spreadsheet reflects that whether drowning was the cause of each death is, in some cases, undetermined. These locations, with limited exception, do not appear to be anticipated as candidates for additional guardrail installation. However, the spreadsheet does indicate, “for cases where nearly identical water hazard scenarios were present in the vicinity, the proposals [add] guardrail for shielding all water hazards seen nearby (with the exception of interchange approaches, as explained in the comments [].”

Aside from this information, the FDOT provided the following estimate based on the bill’s language, as filed, requiring guardrail installation, as opposed to roadside barriers:

Assuming [] the addition of varying feet of guardrail at each location, the bill would result in the addition of 132,845 linear feet of guardrail at a cost of approximately \$17 per foot for a total estimated cost of \$2,381,614. New installation locations will be added to existing inventory and maintained at an additional [unspecified] cost.²⁴

²⁴*Supra* note 6, at p. 3. *See* also the spreadsheet attached to the FDOT’s bill analysis for information on specific identified locations for additional shielding.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on January 20, 2016:

The CS modifies the bill by:

- Requiring installation of roadside *barriers*, rather than erection of *guardrail*, by June 30, 2018.
- Providing that such installation does not apply to any location at which the FDOT's chief engineer determines, based on engineering principles, that installation of a barrier would increase the risk of injury to motorists traveling on the adjacent state road.
- Requiring the FDOT to use DHSMV reconciled data for the purpose of conducting the required review of accidents and for providing its recommendations.

B. Amendments:

None.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Rules, *Vice Chair*
Appropriations Subcommittee on Criminal and
Civil Justice
Environmental Preservation and Conservation
Finance and Tax
Judiciary

JOINT COMMITTEE:
Joint Committee on Public Counsel Oversight

SENATOR DARREN SOTO

Minority Caucus Rules Chair
14th District

January 21, 2016

The Honorable Jack Latvala
Appropriations Subcommittee on Transportation, Tourism, and Economic Development
201 The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100

Chair Latvala,

I respectfully request that Senate Bill 522, Traffic Safety on State Roads, be placed on the agenda as soon as possible. Senate Bill 522 requires the Florida Department of Transportation (FDOT) to erect barriers along certain bodies of water along state roads. This bill requires FDOT to use reconciled crash data to determine where a death has occurred due to drowning on state roads, during a specified timeframe, and erect a barrier. FDOT will also be required to submit a report to the Legislature recommending any necessary changes to state laws and department rules, by a specified date.

Thank you for your consideration. Should you have any questions or concerns, please feel free to contact me at 850-487-5014.

Sincerely,

A handwritten signature in cursive script that reads "Darren M. Soto".

Darren M. Soto
State Senator, District 14

Cc: Phillip Miller, Staff Director
Elizabeth Wells, Committee Administrative Assistant

REPLY TO:

- Kissimmee City Hall, 101 North Church Street, Suite 305, Kissimmee, Florida 34741 (407) 846-5187 FAX: (407) 846-5188
- 220 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5014

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

By Senator Stargel

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1 A bill to be entitled
2 An act relating to special districts; amending s.
3 11.40, F.S.; conforming cross-references; amending s.
4 189.011, F.S.; revising legislative intent with
5 respect to the Uniform Special District Accountability
6 Act to include dependent special districts; amending
7 s. 189.016, F.S.; specifying the period of time for
8 which certain budget information must remain on the
9 special district's website; deleting provisions
10 requiring a special district to transmit certain
11 budgets to the local government under specific
12 circumstances; reenacting s. 165.0615(16), F.S.,
13 relating to municipal conversion of independent
14 special districts upon an elector-initiated and
15 approved referendum, to incorporate the amendment to
16 s. 189.016, F.S., in references thereto; amending s.
17 189.02, F.S.; specifying the Legislature's authority
18 to create dependent special districts by special act;
19 creating s. 189.022, F.S.; providing for the
20 identification of a dependent special district as
21 dependent in its charter; amending s. 189.031, F.S.;
22 providing for the identification of an independent
23 special district as independent in its charter;
24 transferring, renumbering, and amending ss. 189.034
25 and 189.035, F.S.; authorizing the Legislative
26 Auditing Committee, for districts created by special
27 act, or local general-purpose governments, for
28 districts created by local ordinance or enacted by
29 local resolution, to convene public hearings for

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30 special districts that fail to file specified required
31 reports or requested information; deleting related
32 provisions requiring the committee to provide certain
33 notice to the Legislature or local general-purpose
34 government, as appropriate, when a special district
35 fails to file certain required reports or requested
36 information, to conform; amending s. 189.061, F.S.;
37 requiring the Department of Economic Opportunity to
38 exclude inactive special districts from the official
39 list of special districts; revising procedures for
40 maintaining the official list of special districts;
41 specifying that the official list or determination of
42 status of a special district does not constitute final
43 agency action; providing procedures for use in
44 resolving inconsistencies in status determinations of
45 special districts as identified in the official lists;
46 requiring the Auditor General to notify the department
47 of entities that attempt to report as special
48 districts in certain reports; amending s. 189.062,
49 F.S.; revising the criteria that must be documented
50 before a special district may be declared inactive;
51 authorizing the repeal of certain special acts of
52 inactive special districts by general law; providing
53 criteria for initiating such general law; revising the
54 circumstances under which a declaration of inactive
55 status may be invalidated; requiring the department to
56 remove special districts declared inactive from the
57 official list of special districts; requiring the
58 department to keep a separate list of inactive

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59 districts; amending s. 189.064, F.S.; revising the
60 required content of the special district handbook;
61 creating s. 189.0653, F.S.; requiring special
62 districts created by special act or local ordinance to
63 provide specified information to the committee or
64 local general-purpose government, as appropriate;
65 amending s. 189.067, F.S.; conforming cross-
66 references; amending s. 189.068, F.S.; conforming
67 cross-references; specifying that certain dependent
68 special districts may be reviewed by specified local
69 general-purpose governments; amending s. 189.069,
70 F.S.; revising the list of items required to be
71 included on the websites of special districts;
72 amending ss. 189.071 and 189.072, F.S.; conforming
73 provisions to changes made by the act; reenacting s.
74 189.074(2)(e) and (3)(g), F.S., relating to the
75 voluntary merger of independent special districts, to
76 incorporate the amendment to s. 189.016, F.S., in
77 references thereto; providing an effective date.

78

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

80

81 Section 1. Paragraph (b) of subsection (2) of section
82 11.40, Florida Statutes, is amended to read:

83 11.40 Legislative Auditing Committee.—

84 (2) Following notification by the Auditor General, the
85 Department of Financial Services, or the Division of Bond
86 Finance of the State Board of Administration of the failure of a
87 local governmental entity, district school board, charter

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88 school, or charter technical career center to comply with the
89 applicable provisions within s. 11.45(5)-(7), s. 218.32(1), s.
90 218.38, or s. 218.503(3), the Legislative Auditing Committee may
91 schedule a hearing to determine if the entity should be subject
92 to further state action. If the committee determines that the
93 entity should be subject to further state action, the committee
94 shall:

95 (b) In the case of a special district created by:

96 1. A special act, notify the President of the Senate, the
97 Speaker of the House of Representatives, the standing committees
98 of the Senate and the House of Representatives charged with
99 special district oversight as determined by the presiding
100 officers of each respective chamber, the legislators who
101 represent a portion of the geographical jurisdiction of the
102 special district ~~pursuant to s. 189.034(2)~~, and the Department
103 of Economic Opportunity that the special district has failed to
104 comply with the law. Upon receipt of notification, the
105 Department of Economic Opportunity shall proceed pursuant to s.
106 189.062 or s. 189.067. If the special district remains in
107 noncompliance after the process set forth in s. 189.0651
108 ~~189.034(3)~~, or if a public hearing is not held, the Legislative
109 Auditing Committee may request the department to proceed
110 pursuant to s. 189.067(3).

111 2. A local ordinance, notify the chair or equivalent of the
112 local general-purpose government pursuant to s. 189.0652
113 ~~189.035(2)~~ and the Department of Economic Opportunity that the
114 special district has failed to comply with the law. Upon receipt
115 of notification, the department shall proceed pursuant to s.
116 189.062 or s. 189.067. If the special district remains in

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117 noncompliance after the process set forth in s. 189.0652
118 ~~189.034(3)~~, or if a public hearing is not held, the Legislative
119 Auditing Committee may request the department to proceed
120 pursuant to s. 189.067(3).

121 3. Any manner other than a special act or local ordinance,
122 notify the Department of Economic Opportunity that the special
123 district has failed to comply with the law. Upon receipt of
124 notification, the department shall proceed pursuant to s.
125 189.062 or s. 189.067(3).

126 Section 2. Subsection (2) of section 189.011, Florida
127 Statutes, is amended to read:

128 189.011 Statement of legislative purpose and intent.—

129 (2) The Legislature finds that special districts serve a
130 necessary and useful function by providing services to residents
131 and property in the state. The Legislature finds further that
132 special districts operate to serve a public purpose and that
133 this is best secured by certain minimum standards of
134 accountability designed to inform the public and appropriate
135 local general-purpose governments of the status and activities
136 of special districts. It is the intent of the Legislature that
137 this public trust be secured by requiring each ~~independent~~
138 special district in the state to register and report its
139 financial and other activities. The Legislature further finds
140 that failure of a ~~an independent~~ special district to comply with
141 the minimum disclosure requirements set forth in this chapter
142 may result in action against the special ~~officers of such~~
143 district ~~body~~.

144 Section 3. Subsections (4) and (7) of section 189.016,
145 Florida Statutes, are amended to read:

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146 189.016 Reports; budgets; audits.—

147 (4) The tentative budget must be posted on the special
148 district's official website at least 2 days before the budget
149 hearing, held pursuant to s. 200.065 or other law, to consider
150 such budget and must remain on the website for at least 45 days.
151 The final adopted budget must be posted on the special
152 district's official website within 30 days after adoption and
153 must remain on the website for at least 2 years. ~~If the special~~
154 ~~district does not operate an official website, the special~~
155 ~~district must, within a reasonable period of time as established~~
156 ~~by the local general purpose government or governments in which~~
157 ~~the special district is located or the local governing authority~~
158 ~~to which the district is dependent, transmit the tentative~~
159 ~~budget or final budget to the manager or administrator of the~~
160 ~~local general purpose government or the local governing~~
161 ~~authority. The manager or administrator shall post the tentative~~
162 ~~budget or final budget on the website of the local general-~~
163 ~~purpose government or governing authority. This subsection and~~
164 subsection (3) do not apply to water management districts as
165 defined in s. 373.019.

166 (7) If the governing body of a special district amends the
167 budget pursuant to paragraph (6) (c), the adopted amendment must
168 be posted on the official website of the special district within
169 5 days after adoption and must remain on the website for at
170 least 2 years. ~~If the special district does not operate an~~
171 ~~official website, the special district must, within a reasonable~~
172 ~~period of time as established by the local general purpose~~
173 ~~government or governments in which the special district is~~
174 ~~located or the local governing authority to which the district~~

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175 ~~is dependent, transmit the adopted amendment to the manager or~~
176 ~~administrator of the local general purpose government or~~
177 ~~governing authority. The manager or administrator shall post the~~
178 ~~adopted amendment on the website of the local general purpose~~
179 ~~government or governing authority.~~

180 Section 4. For the purpose of incorporating the amendment
181 made by this act to section 189.016, Florida Statutes, in a
182 reference thereto, subsection (16) of section 165.0615, Florida
183 Statutes, is reenacted to read:

184 165.0615 Municipal conversion of independent special
185 districts upon elector-initiated and approved referendum.—

186 (16) If the incorporation plan is approved by a majority of
187 the votes cast in the independent special district, the district
188 shall notify the special district accountability program
189 pursuant to s. 189.016(2) and the local general-purpose
190 governments in which any part of the independent special
191 district is situated pursuant to s. 189.016(7).

192 Section 5. Subsection (5) is added to section 189.02,
193 Florida Statutes, to read:

194 189.02 Dependent special districts.—

195 (5) The Legislature may create a dependent special district
196 by special act at the request or with the consent of the local
197 government upon which the special district will be dependent.

198 Section 6. Section 189.022, Florida Statutes, is created to
199 read:

200 189.022 Status statement.—The charter of a newly created
201 dependent special district shall contain, and where practical
202 and feasible, the charter of an existing dependent special
203 district shall be amended to contain, a reference to the status

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204 of the special district as dependent. When necessary, the status
 205 statement shall be amended to conform to the department's
 206 determination or declaratory statement regarding the status of
 207 the district.

208 Section 7. Subsection (5) of section 189.031, Florida
 209 Statutes, is amended to read:

210 189.031 Legislative intent for the creation of independent
 211 special districts; special act prohibitions; model elements and
 212 other requirements; local general-purpose government/Governor
 213 and Cabinet creation authorizations.—

214 (5) STATUS STATEMENT. ~~After October 1, 1997,~~ The charter of
 215 a any newly created independent special district shall contain,
 216 and, where as practical and feasible, the charter of an existing
 217 independent ~~a preexisting~~ special district shall be amended to
 218 contain, a reference to the status of the special district as
 219 ~~dependent or~~ independent. When necessary, the status statement
 220 shall be amended to conform to ~~with~~ the department's
 221 determination or declaratory statement regarding the status of
 222 the district.

223 Section 8. Section 189.034, Florida Statutes, is
 224 transferred, renumbered as section 189.0651, Florida Statutes,
 225 and amended to read:

226 189.0651 ~~189.034~~ Oversight of special districts created by
 227 special act of the Legislature.—

228 (1) This section applies to any special district created by
 229 special act of the Legislature.

230 (2) If a special district fails to file required reports or
 231 requested information under s. 11.45(6), s. 11.45(7), s. 218.32,
 232 s. 218.38(3), s. 218.39, or s. 218.503(3) ~~7~~ with the appropriate

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233 state agency or office, the Legislative Auditing Committee ~~or~~
234 ~~its designee shall provide written notice of the district's~~
235 ~~noncompliance to the President of the Senate, the Speaker of the~~
236 ~~House of Representatives, the standing committees of the Senate~~
237 ~~and the House of Representatives charged with special district~~
238 ~~oversight as determined by the presiding officers of each~~
239 ~~respective chamber, and the legislators who represent a portion~~
240 ~~of the geographical jurisdiction of the special district.~~

241 ~~(3) the Legislative Auditing Committee may convene a public~~
242 ~~hearing on the issue of such noncompliance, as well as general~~
243 ~~oversight of the special district as provided in s. 189.068, at~~
244 ~~the direction of the President of the Senate and the Speaker of~~
245 ~~the House of Representatives.~~

246 ~~(4) Before the public hearing as provided in subsection~~
247 ~~(3), the special district shall provide the following~~
248 ~~information at the request of the Legislative Auditing~~
249 ~~Committee:~~

250 ~~(a) The district's annual financial report for the prior~~
251 ~~fiscal year.~~

252 ~~(b) The district's audit report for the previous fiscal~~
253 ~~year.~~

254 ~~(c) An annual report for the previous fiscal year providing~~
255 ~~a detailed review of the performance of the special district,~~
256 ~~including the following information:~~

257 ~~1. The purpose of the special district.~~

258 ~~2. The sources of funding for the special district.~~

259 ~~3. A description of the major activities, programs, and~~
260 ~~initiatives the special district undertook in the most recently~~
261 ~~completed fiscal year and the benchmarks or criteria under which~~

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262 ~~the success or failure of the district was determined by its~~
 263 ~~governing body.~~

264 ~~4. Any challenges or obstacles faced by the special~~
 265 ~~district in fulfilling its purpose and related responsibilities.~~

266 ~~5. Ways the special district believes it could better~~
 267 ~~fulfill its purpose and related responsibilities and a~~
 268 ~~description of the actions that it intends to take during the~~
 269 ~~ensuing fiscal year.~~

270 ~~6. Proposed changes to the special act that established the~~
 271 ~~special district and justification for such changes.~~

272 ~~7. Any other information reasonably required to provide the~~
 273 ~~Legislative Auditing Committee with an accurate understanding of~~
 274 ~~the purpose for which the special district exists and how it is~~
 275 ~~fulfilling its responsibilities to accomplish that purpose.~~

276 ~~8. Any reasons for the district's noncompliance.~~

277 ~~9. Whether the district is currently in compliance.~~

278 ~~10. Plans to correct any recurring issues of noncompliance.~~

279 ~~11. Efforts to promote transparency, including maintenance~~
 280 ~~of the district's website in accordance with s. 189.069.~~

281 Section 9. Section 189.035, Florida Statutes, is
 282 transferred, renumbered as section 189.0652, Florida Statutes,
 283 and amended to read:

284 189.0652 ~~189.035~~ Oversight of special districts created by
 285 local ordinance or enacted by local resolution.-

286 (1) This section applies to any special district created by
 287 local ordinance or enacted by local resolution.

288 (2) If a special district fails to file required reports or
 289 requested information under s. 11.45(6), s. 11.45(7), s. 218.32,
 290 s. 218.38(3), s. 218.39, or s. 218.503(3) with the appropriate

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291 state agency or office, ~~the Legislative Auditing Committee or~~
292 ~~its designee shall provide written notice of the district's~~
293 ~~noncompliance to the chair or equivalent of the local general-~~
294 ~~purpose government.~~

295 ~~(3)~~ the chair or equivalent of the local general-purpose
296 government may convene a public hearing on the issue of such
297 noncompliance, as well as general oversight of the special
298 district as provided in s. 189.068, within 3 months after
299 receipt of notice of noncompliance from the Legislative Auditing
300 Committee. Within 30 days after receiving written notice of
301 noncompliance, the local general-purpose government shall notify
302 the Legislative Auditing Committee as to whether a hearing under
303 this section will be held and, if so, provide the date, time,
304 and place of the hearing.

305 ~~(4) Before the public hearing as provided in subsection~~
306 ~~(3), the special district shall provide the following~~
307 ~~information at the request of the local general-purpose~~
308 ~~government:~~

309 ~~(a) The district's annual financial report for the previous~~
310 ~~fiscal year.~~

311 ~~(b) The district's audit report for the previous fiscal~~
312 ~~year.~~

313 ~~(c) An annual report for the previous fiscal year, which~~
314 ~~must provide a detailed review of the performance of the special~~
315 ~~district and include the following information:~~

316 ~~1. The purpose of the special district.~~

317 ~~2. The sources of funding for the special district.~~

318 ~~3. A description of the major activities, programs, and~~
319 ~~initiatives the special district undertook in the most recently~~

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320 ~~completed fiscal year and the benchmarks or criteria under which~~
321 ~~the success or failure of the district was determined by its~~
322 ~~governing body.~~

323 ~~4. Any challenges or obstacles faced by the special~~
324 ~~district in fulfilling its purpose and related responsibilities.~~

325 ~~5. Ways in which the special district believes that it~~
326 ~~could better fulfill its purpose and related responsibilities~~
327 ~~and a description of the actions that it intends to take during~~
328 ~~the ensuing fiscal year.~~

329 ~~6. Proposed changes to the ordinance or resolution that~~
330 ~~established the special district and justification for such~~
331 ~~changes.~~

332 ~~7. Any other information reasonably required to provide the~~
333 ~~reviewing entity with an accurate understanding of the purpose~~
334 ~~for which the special district exists and how it is fulfilling~~
335 ~~its responsibilities to accomplish that purpose.~~

336 ~~8. Any reasons for the district's noncompliance.~~

337 ~~9. Whether the district is currently in compliance.~~

338 ~~10. Plans to correct any recurring issues of noncompliance.~~

339 ~~11. Efforts to promote transparency, including maintenance~~
340 ~~of the district's website in accordance with s. 189.069.~~

341 ~~(3)(5)~~ If the local general-purpose government convenes a
342 public hearing under subsection (2) ~~this section~~, it shall
343 provide the department and the Legislative Auditing Committee
344 with a report containing its findings and conclusions within 60
345 days after completion of the public hearing.

346 Section 10. Subsections (1), (2), and (4) of section
347 189.061, Florida Statutes, are amended, present subsection (3)
348 of that section is renumbered as subsection (4) and amended, and

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349 a new subsection (3) is added to that section, to read:

350 189.061 Official list of special districts.-

351 (1) (a) The department shall maintain the official list of
352 special districts. The official list of special districts shall
353 include all special districts in this state and shall indicate
354 the independent or dependent status of each district. All
355 special districts on the list shall be sorted by county. The
356 definitions in s. 189.012 shall be the criteria for
357 determination of the independent or dependent status of each
358 special district on the official list. The status of community
359 development districts shall be independent on the official list
360 of special districts.

361 (b) The official list shall exclude all districts declared
362 inactive as provided in s. 189.062.

363 (2) The official list shall be maintained ~~produced~~ by the
364 department using the information filed with the department by
365 the special districts pursuant to this chapter. If a special
366 district does not submit its written status statement required
367 by s. 189.016(1) within the required time, the department may
368 determine the status of the district. If the department
369 determines the status, the department shall render its
370 determination to an agent of the special district ~~after the~~
371 ~~department has notified each special district that is currently~~
372 ~~reporting to the department, the Department of Financial~~
373 ~~Services pursuant to s. 218.32, or the Auditor General pursuant~~
374 ~~to s. 218.39. Upon notification, each special district shall~~
375 ~~submit, within 60 days, its determination of its status. The~~
376 ~~determination submitted by a special district shall be~~
377 ~~consistent with the status reported in the most recent local~~

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378 ~~government audit of district activities submitted to the Auditor~~
379 ~~General pursuant to s. 218.39.~~

380 (3) The official list of special districts or the
381 determination of status does not constitute final agency action
382 pursuant to chapter 120. If the status of a special district on
383 the official list is inconsistent with the status submitted by
384 the district, the district may request the department to issue a
385 declaratory statement setting forth the requirements necessary
386 to resolve the inconsistency. If necessary, upon issuance of a
387 declaratory statement by the department that is not appealed
388 pursuant to chapter 120, the governing body of any special
389 district receiving such a declaratory statement shall apply to
390 the entity that originally established the district for an
391 amendment to its charter correcting the specified defects in its
392 original charter. This amendment shall be for the sole purpose
393 of resolving inconsistencies between a district charter and the
394 status of a district as it appears on the official list.

395 (4)~~(3)~~ The Department of Financial Services shall notify
396 provide the department of each entity that attempts to report as
397 a special district in the annual financial report with a list of
398 dependent special districts reporting pursuant to s. 218.32 that
399 is not included for inclusion on the official list of special
400 districts. The Auditor General shall notify the department of
401 each entity that attempts to report as a special district in an
402 audit report issued pursuant to s. 218.39 which is not included
403 on the official list of special districts. Upon notification by
404 the Department of Financial Services or the Auditor General, the
405 department shall determine whether the entity is a special
406 district as defined in s. 189.012. If the entity is a special

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407 district, the department shall add the entity to the official
408 list of special districts and shall notify each such entity that
409 it is required to comply with s. 189.013.

410 ~~(4) If a special district does not submit its status to the~~
411 ~~department within the required time period, then the department~~
412 ~~shall have the authority to determine the status of said~~
413 ~~district. After such determination of status is completed, the~~
414 ~~department shall render the determination to an agent of the~~
415 ~~special district.~~

416 Section 11. Section 189.062, Florida Statutes, is amended
417 to read:

418 189.062 Special procedures for inactive districts.—

419 (1) The department shall declare inactive any special
420 district in this state by documenting that:

421 (a) The special district meets one of the following
422 criteria:

423 1. The registered agent of the district, the chair of the
424 governing body of the district, or the governing body of the
425 appropriate local general-purpose government notifies the
426 department in writing that the district has taken no action for
427 2 or more years;

428 2. The registered agent of the district, the chair of the
429 governing body of the district, or the governing body of the
430 appropriate local general-purpose government notifies the
431 department in writing that the district has not had a governing
432 body or a sufficient number of governing body members to
433 constitute a quorum for 2 or more years;

434 3. The registered agent of the district, the chair of the
435 governing body of the district, or the governing body of the

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436 appropriate local general-purpose government fails to respond to
437 an inquiry by the department within 21 days;

438 4. The department determines, pursuant to s. 189.067, that
439 the district has failed to file any of the reports listed in s.
440 189.066;

441 5. The district has not had a registered office and agent
442 on file with the department for 1 or more years; or

443 6. The governing body of a special district provides
444 documentation to the department that it has unanimously adopted
445 a resolution declaring the special district inactive. The
446 special district is ~~shall be~~ responsible for payment of any
447 expenses associated with its dissolution. ~~A special district~~
448 ~~declared inactive pursuant to this subparagraph may be dissolved~~
449 ~~without a referendum; or~~

450 (b) The department, special district, or local general-
451 purpose government has published a notice of proposed
452 declaration of inactive status in a newspaper of general
453 circulation in the county or municipality in which the territory
454 of the special district is located and has sent a copy of such
455 notice by certified mail to the registered agent or chair of the
456 governing body, if any. Such notice must include the name of the
457 special district, the law under which it was organized and
458 operating, a general description of the territory included in
459 the special district, and a statement that any objections must
460 be filed pursuant to chapter 120 within 21 days after the
461 publication date. ~~;~~ and

462 (c) Twenty-one days have elapsed from the publication date
463 of the notice of proposed declaration of inactive status and no
464 administrative appeals were filed.

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465 (2) If any special district is declared inactive pursuant
466 to this section, the property or assets of the special district
467 are subject to legal process for payment of any debts of the
468 district. After the payment of all the debts of said inactive
469 special district, the remainder of its property or assets shall
470 escheat to the county or municipality wherein located. If,
471 however, it shall be necessary, in order to pay any such debt,
472 to levy any tax or taxes on the property in the territory or
473 limits of the inactive special district, the same may be
474 assessed and levied by order of the local general-purpose
475 government wherein the same is situated and shall be assessed by
476 the county property appraiser and collected by the county tax
477 collector.

478 (3) (a) In the case of a district created by special act of
479 the Legislature, the department shall send a notice of
480 declaration of inactive status to the Speaker of the House of
481 Representatives and the President of the Senate, and the
482 standing committees of the Senate and the House of
483 Representatives charged with special district oversight as
484 determined by the presiding officers of each respective chamber
485 and the Legislative Auditing Committee. The notice of
486 declaration of inactive status shall reference each known
487 special act creating or amending the charter of any special
488 district declared to be inactive under this section. The
489 declaration of inactive status shall be sufficient notice as
490 required by s. 10, Art. III of the State Constitution to
491 authorize the Legislature to repeal any special laws so
492 reported. Each special act creating or amending the charter of a
493 special district declared to be inactive under this section may

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494 be repealed by general law initiated by either of the standing
495 committees with the approval of the chamber's presiding officer;
496 however, notice of the introduction of legislation providing for
497 such repeal of a special act must be given to each member of the
498 Legislature who represents any portion of the area within the
499 jurisdiction of the special district.

500 (b) In the case of a district created by one or more local
501 general-purpose governments, the department shall send a notice
502 of declaration of inactive status to the chair of the governing
503 body of each local general-purpose government that created the
504 district.

505 (c) In the case of a district created by interlocal
506 agreement, the department shall send a notice of declaration of
507 inactive status to the chair of the governing body of each local
508 general-purpose government which entered into the interlocal
509 agreement.

510 (4) The entity that created a special district declared
511 inactive under this section must dissolve the special district
512 by repealing its enabling laws or by other ~~appropriate~~ means as
513 set forth in s. 189.071 or s. 189.072. ~~Any special district~~
514 ~~declared inactive pursuant to subparagraph (1)(a)5. may be~~
515 ~~dissolved without a referendum.~~

516 (5) A special district declared inactive under this section
517 may not collect taxes, fees, or assessments unless the
518 declaration is:

519 (a) Withdrawn or revoked by the department; or

520 (b) Invalidated in proceedings initiated by the special
521 district within 30 days after the publication date of the
522 newspaper notice required under paragraph (1)(b) ~~written notice~~

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523 ~~of the declaration was provided to the special district~~
524 ~~governing body by physical or electronic delivery, receipt~~
525 ~~confirmed.~~ The special district governing body may initiate
526 proceedings within the period authorized in this paragraph by:

527 1. Filing with the department a petition for an
528 administrative hearing pursuant to s. 120.569; or

529 2. Filing an action for declaratory and injunctive relief
530 under chapter 86 in the circuit court of the judicial circuit in
531 which the majority of the area of the district is located.

532 (c) If a timely challenge to the declaration is not
533 initiated by the special district governing body, or the
534 department prevails in a proceeding initiated under paragraph
535 (b), the department may enforce the prohibitions in this
536 subsection by filing a petition for enforcement with the circuit
537 court in and for Leon County. The petition may request
538 declaratory, injunctive, or other equitable relief, including
539 the appointment of a receiver, and any forfeiture or other
540 remedy provided by law.

541 (d) The prevailing party shall be awarded costs of
542 litigation and reasonable attorney fees in any proceeding
543 brought under this subsection.

544 (6) (a) The department shall immediately remove each special
545 district declared inactive as provided in this section from the
546 official list of special districts maintained as provided in ss.
547 189.061 and 189.064.

548 (b) The department shall create a separate list of all
549 special districts declared inactive as provided in this section
550 and shall maintain each such district on the inactive list until
551 the department determines that the district has resumed active

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552 status, the district is merged as provided in s. 189.071 or s.
553 189.074, or the district is dissolved as provided in s. 189.071
554 or s. 189.072.

555 Section 12. Subsections (1), (2), and (3) of section
556 189.064, Florida Statutes, are amended to read:

557 189.064 Special District Accountability Program; duties and
558 responsibilities.—The Special District Accountability Program of
559 the department has the following duties:

560 (1) Electronically publishing special district
561 noncompliance status reports from the Department of Management
562 Services, the Department of Financial Services, the Division of
563 Bond Finance of the State Board of Administration, the Auditor
564 General, and the Legislative Auditing Committee, for the
565 reporting required in ss. 112.63, 218.32, 218.38, and 218.39.
566 The noncompliance reports must list those special districts that
567 did not comply with the statutory reporting requirements and be
568 made available to the public electronically.

569 (2) Maintaining the official list of special districts as
570 set forth in s. 189.061.

571 (3) Publishing and updating of a "Florida Special District
572 Handbook" that contains, at a minimum:

573 (a) A section that specifies definitions of special
574 districts and status distinctions in the statutes.

575 (b) A section or sections that specify current statutory
576 provisions for special district creation, implementation,
577 modification, dissolution, and operating procedures.

578 (c) A section that summarizes the reporting requirements
579 applicable to all types of special districts as provided in ss.
580 189.015 and 189.016.

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581 (d) A section that summarizes the public facilities
582 reporting requirements and the evaluation and appraisal
583 notification schedule as provided in s. 189.08(2).

584 Section 13. Section 189.0653, Florida Statutes, is created
585 to read:

586 189.0653 Information before public hearing on
587 noncompliance.—Before the public hearing as provided in s.
588 189.0651(2) or s. 189.0652(2) is held, the special district
589 shall provide the following information at the request of the
590 local general-purpose government or the Legislative Auditing
591 Committee, as appropriate:

592 (1) The district's annual financial report for the previous
593 fiscal year.

594 (2) The district's audit report for the previous fiscal
595 year.

596 (3) Minutes of meetings of the special district's governing
597 body for the previous fiscal year and the current fiscal year to
598 date.

599 (4) A report for the previous fiscal year providing the
600 following:

601 (a) The purpose of the special district.

602 (b) The sources of funding for the special district.

603 (c) A description of the major activities, programs, and
604 initiatives the special district undertook in the most recently
605 completed fiscal year and the benchmarks or criteria under which
606 the success or failure of the district was or will be determined
607 by its governing body.

608 (d) Any challenges or obstacles faced by the special
609 district in fulfilling its purpose and related responsibilities.

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610 (e) Ways in which the special district's governing body
611 believes it could better fulfill the special district's purpose
612 and a description of the actions it intends to take.

613 (f) Proposed changes to the special act, ordinance, or
614 resolution, as appropriate, which established the special
615 district and justification for such changes.

616 (g) Any other information reasonably required to provide
617 the reviewing entity with an accurate understanding of the
618 purpose of the special district and how the special district is
619 fulfilling that purpose.

620 (h) Any reasons for the district's noncompliance resulting
621 in the public hearing.

622 (i) Whether the district is currently in compliance.

623 (j) Plans to correct any recurring issues of noncompliance.

624 (k) Efforts to promote transparency, including a statement
625 indicating whether the district's website complies with s.
626 189.069.

627 Section 14. Subsection (2) of section 189.067, Florida
628 Statutes, is amended to read:

629 189.067 Failure of district to disclose financial reports.—

630 (2) Failure of a special district to comply with the
631 actuarial and financial reporting requirements under s. 112.63,
632 s. 218.32, or s. 218.39 after the procedures of subsection (1)
633 are exhausted shall be deemed final action of the special
634 district. The actuarial and financial reporting requirements are
635 declared to be essential requirements of law. Remedies for
636 noncompliance with ss. 218.32 and 218.39 shall be as provided in
637 ss. 189.0651 and 189.0652 ~~189.034 and 189.035~~. Remedy for
638 noncompliance with s. 112.63 shall be as set forth in subsection

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639 (4).

640 Section 15. Paragraphs (a), (b), and (c) of subsection (2)
641 of section 189.068, Florida Statutes, are amended to read:

642 189.068 Special districts; authority for oversight; general
643 oversight review process.—

644 (2) Special districts may be reviewed for general oversight
645 purposes under this section as follows:

646 (a) Each ~~All~~ special district ~~districts~~ created by special
647 act may be reviewed by the Legislature using the ~~public hearing~~
648 process provided in s. 189.0651 ~~189.034~~.

649 (b) Each ~~All~~ special district ~~districts~~ created by local
650 ordinance or resolution may be reviewed by the local general-
651 purpose government that enacted the ordinance or resolution
652 using the ~~public hearing~~ process provided in s. 189.0652
653 ~~189.035~~.

654 (c) Each ~~All~~ dependent special district ~~districts~~ not created by
655 special act ~~districts~~ may be reviewed by the local general-
656 purpose government upon ~~to~~ which it is ~~they are~~ dependent.

657 Section 16. Section 189.069, Florida Statutes, is amended
658 to read:

659 189.069 Special districts; required reporting of
660 information; web-based public access.—

661 (1) Beginning on October 1, 2015, or by the end of the
662 first full fiscal year after its creation, each special district
663 shall maintain an official ~~Internet~~ website containing the
664 information required by this section ~~in accordance with s.~~
665 ~~189.016~~. Each special district ~~districts~~ shall submit its ~~their~~
666 official ~~Internet~~ website address ~~addresses~~ to the department.

667 (a) Each independent special district ~~districts~~ shall

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668 maintain a separate ~~Internet~~ website.

669 (b) Each dependent special district ~~districts~~ shall be
670 prominently ~~preeminently~~ displayed on the home page of the
671 ~~Internet~~ website of the local general-purpose government upon
672 which it is dependent ~~that created the special district~~ with a
673 hyperlink to such webpages as are necessary to provide the
674 information required by this section. A dependent special
675 district ~~districts~~ may maintain a separate ~~Internet~~ website
676 providing the information required by this section.

677 (2) (a) A special district shall post the following
678 information, at a minimum, on the district's official website:

- 679 1. The full legal name of the special district.
- 680 2. The public purpose of the special district.
- 681 3. The name, official address, official e-mail address,
682 and, if applicable, ~~the~~ term and appointing authority for each
683 member of the governing body of the special district.
- 684 4. The fiscal year of the special district.
- 685 5. The full text of the special district's charter, the
686 date of establishment, the establishing entity, and the statute
687 or statutes under which the special district operates, if
688 different from the statute or statutes under which the special
689 district was established. Community development districts may
690 reference chapter 190 as the uniform charter, but must include
691 information relating to any grant of special powers.
- 692 6. The mailing address, e-mail address, telephone number,
693 and ~~Internet~~ website uniform resource locator of the special
694 district.
- 695 7. A description of the boundaries or service area of, and
696 the services provided by, the special district.

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697 8. A listing of all taxes, fees, assessments, or charges
698 imposed and collected by the special district, including the
699 rates or amounts for the fiscal year and the statutory authority
700 for the levy of the tax, fee, assessment, or charge. For
701 purposes of this subparagraph, charges do not include patient
702 charges by a hospital or other health care provider.

703 9. The primary contact information for the special district
704 for purposes of communication from the department.

705 10. A code of ethics adopted by the special district, if
706 applicable, and a hyperlink to generally applicable ethics
707 provisions.

708 11. The budget of the each special district and any, ~~in~~
709 ~~addition to~~ amendments thereto in accordance with s. 189.016.

710 12. The final, complete audit report for the most recent
711 completed fiscal year, ~~and~~ audit reports required by law or
712 authorized by the governing body of the special district.

713 13. A listing of its regularly scheduled public meetings as
714 required by s. 189.015(1).

715 14. The public facilities report, if applicable.

716 15. The link to the Department of Financial Services'
717 website as set forth in s. 218.32(1)(g).

718 16. At least 7 days before each meeting or workshop, the
719 agenda of the event, along with any meeting materials available
720 in an electronic format, excluding confidential and exempt
721 information. The information must remain on the website for at
722 least 1 year after the event.

723 (b) The department's ~~Internet~~ website list of special
724 districts in the state required under s. 189.061 shall include a
725 link for each special district that provides web-based access to

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726 the public for all information and documentation required for
727 submission to the department pursuant to subsection (1).

728 Section 17. Subsections (2) and (3) of section 189.071,
729 Florida Statutes, are amended to read:

730 189.071 Merger or dissolution of a dependent special
731 district.—

732 (2) The merger or dissolution of an active a dependent
733 special district created and operating pursuant to a special act
734 may be effectuated only by further act of the Legislature unless
735 otherwise provided by general law.

736 (3) A dependent special district that meets any criteria
737 for being declared inactive, ~~or that has already been declared~~
738 ~~inactive~~, pursuant to s. 189.062 may be dissolved or merged by
739 special act without a referendum.

740 Section 18. Subsection (3) of section 189.072, Florida
741 Statutes, is amended to read:

742 189.072 Dissolution of an independent special district.—

743 (3) INACTIVE INDEPENDENT SPECIAL DISTRICTS.—An independent
744 special district that meets any criteria for being declared
745 inactive, ~~or that has already been declared inactive~~, pursuant
746 to s. 189.062 may be dissolved by special act without a
747 referendum. If an inactive independent special district was
748 created by a county or municipality through a referendum, the
749 county or municipality that created the district may dissolve
750 the district after publishing notice as described in s. 189.062.

751 Section 19. For the purpose of incorporating the amendment
752 made by this act to section 189.016, Florida Statutes, in
753 references thereto, paragraph (e) of subsection (2) and
754 paragraph (g) of subsection (3) of section 189.074, Florida

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755 Statutes, are reenacted to read:

756 189.074 Voluntary merger of independent special districts.-
757 Two or more contiguous independent special districts created by
758 special act which have similar functions and elected governing
759 bodies may elect to merge into a single independent district
760 through the act of merging the component independent special
761 districts.

762 (2) JOINT MERGER PLAN BY RESOLUTION.-The governing bodies
763 of two or more contiguous independent special districts may, by
764 joint resolution, endorse a proposed joint merger plan to
765 commence proceedings to merge the districts pursuant to this
766 section.

767 (e) After the final public hearing, the governing bodies
768 shall notify the supervisors of elections of the applicable
769 counties in which district lands are located of the adoption of
770 the resolution by each governing body. The supervisors of
771 elections shall schedule a separate referendum for each
772 component independent special district. The referenda may be
773 held in each district on the same day, or on different days, but
774 no more than 20 days apart.

775 1. Notice of a referendum on the merger of independent
776 special districts must be provided pursuant to the notice
777 requirements in s. 100.342. At a minimum, the notice must
778 include:

779 a. A brief summary of the resolution and joint merger plan;

780 b. A statement as to where a copy of the resolution and
781 joint merger plan may be examined;

782 c. The names of the component independent special districts
783 to be merged and a description of their territory;

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784 d. The times and places at which the referendum will be
785 held; and

786 e. Such other matters as may be necessary to call, provide
787 for, and give notice of the referendum and to provide for the
788 conduct thereof and the canvass of the returns.

789 2. The referenda must be held in accordance with the
790 Florida Election Code and may be held pursuant to ss. 101.6101-
791 101.6107. All costs associated with the referenda shall be borne
792 by the respective component independent special district.

793 3. The ballot question in such referendum placed before the
794 qualified electors of each component independent special
795 district to be merged must be in substantially the following
796 form:

797
798 "Shall ...(name of component independent special
799 district)... and ...(name of component independent special
800 district or districts)... be merged into ...(name of newly
801 merged independent district)...?"

802
803YES

804NO"

805

806 4. If the component independent special districts proposing
807 to merge have disparate millage rates, the ballot question in
808 the referendum placed before the qualified electors of each
809 component independent special district must be in substantially
810 the following form:

811

812 "Shall ...(name of component independent special

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813 district)... and ...(name of component independent special
814 district or districts)... be merged into ...(name of newly
815 merged independent district)... if the voter-approved maximum
816 millage rate within each independent special district will not
817 increase absent a subsequent referendum?

818
819YES

820NO"

821

822 5. In any referendum held pursuant to this section, the
823 ballots shall be counted, returns made and canvassed, and
824 results certified in the same manner as other elections or
825 referenda for the component independent special districts.

826 6. The merger may not take effect unless a majority of the
827 votes cast in each component independent special district are in
828 favor of the merger. If one of the component districts does not
829 obtain a majority vote, the referendum fails, and merger does
830 not take effect.

831 7. If the merger is approved by a majority of the votes
832 cast in each component independent special district, the merged
833 independent district is created. Upon approval, the merged
834 independent district shall notify the Special District
835 Accountability Program pursuant to s. 189.016(2) and the local
836 general-purpose governments in which any part of the component
837 independent special districts is situated pursuant to s.
838 189.016(7).

839 8. If the referendum fails, the merger process under this
840 subsection may not be initiated for the same purpose within 2
841 years after the date of the referendum.

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842 (3) QUALIFIED ELECTOR-INITIATED MERGER PLAN.—The qualified
843 electors of two or more contiguous independent special districts
844 may commence a merger proceeding by each filing a petition with
845 the governing body of their respective independent special
846 district proposing to be merged. The petition must contain the
847 signatures of at least 40 percent of the qualified electors of
848 each component independent special district and must be
849 submitted to the appropriate component independent special
850 district governing body no later than 1 year after the start of
851 the qualified elector-initiated merger process.

852 (g) After the final public hearing, the governing bodies
853 shall notify the supervisors of elections of the applicable
854 counties in which district lands are located of the adoption of
855 the resolution by each governing body. The supervisors of
856 elections shall schedule a date for the separate referenda for
857 each district. The referenda may be held in each district on the
858 same day, or on different days, but no more than 20 days apart.

859 1. Notice of a referendum on the merger of the component
860 independent special districts must be provided pursuant to the
861 notice requirements in s. 100.342. At a minimum, the notice must
862 include:

863 a. A brief summary of the resolution and elector-initiated
864 merger plan;

865 b. A statement as to where a copy of the resolution and
866 petition for merger may be examined;

867 c. The names of the component independent special districts
868 to be merged and a description of their territory;

869 d. The times and places at which the referendum will be
870 held; and

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871 e. Such other matters as may be necessary to call, provide
872 for, and give notice of the referendum and to provide for the
873 conduct thereof and the canvass of the returns.

874 2. The referenda must be held in accordance with the
875 Florida Election Code and may be held pursuant to ss. 101.6101-
876 101.6107. All costs associated with the referenda shall be borne
877 by the respective component independent special district.

878 3. The ballot question in such referendum placed before the
879 qualified electors of each component independent special
880 district to be merged must be in substantially the following
881 form:

882
883 "Shall ...(name of component independent special
884 district)... and ...(name of component independent special
885 district or districts)... be merged into ...(name of newly
886 merged independent district)...?"

887
888YES
889NO"

890
891 4. If the component independent special districts proposing
892 to merge have disparate millage rates, the ballot question in
893 the referendum placed before the qualified electors of each
894 component independent special district must be in substantially
895 the following form:

896
897 "Shall ...(name of component independent special
898 district)... and ...(name of component independent special
899 district or districts)... be merged into ...(name of newly

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900 merged independent district)... if the voter-approved maximum
901 millage rate within each independent special district will not
902 increase absent a subsequent referendum?
903

904YES

905NO"

906

907 5. In any referendum held pursuant to this section, the
908 ballots shall be counted, returns made and canvassed, and
909 results certified in the same manner as other elections or
910 referenda for the component independent special districts.

911 6. The merger may not take effect unless a majority of the
912 votes cast in each component independent special district are in
913 favor of the merger. If one of the component independent special
914 districts does not obtain a majority vote, the referendum fails,
915 and merger does not take effect.

916 7. If the merger is approved by a majority of the votes
917 cast in each component independent special district, the merged
918 district shall notify the Special District Accountability
919 Program pursuant to s. 189.016(2) and the local general-purpose
920 governments in which any part of the component independent
921 special districts is situated pursuant to s. 189.016(7).

922 8. If the referendum fails, the merger process under this
923 subsection may not be initiated for the same purpose within 2
924 years after the date of the referendum.

925 Section 20. This act shall take effect October 1, 2016.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: SB 956

INTRODUCER: Senator Stargel

SUBJECT: Special Districts

DATE: January 22, 2016

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------------|----------------|------------|-------------------------------|
| 1. | <u>Present</u> | <u>Yeatman</u> | <u>CA</u> | <u>Favorable</u> |
| 2. | <u>Gusky</u> | <u>Miller</u> | <u>ATD</u> | <u>Recommended: Favorable</u> |
| 3. | _____ | _____ | <u>FP</u> | _____ |

I. Summary:

SB 956 requires special districts to publish additional information on their website and to ensure other current information is maintained on their website for longer periods of time. The bill also reorganizes the oversight provisions of the chapter to increase clarity and avoid duplication. The bill clarifies the power of the Legislature to create dependent special districts. The bill revises the process for the Department of Economic Opportunity (DEO) to declare a special district inactive and clarifies the power of the Legislature to dissolve inactive independent special districts by general law. It also makes conforming changes to a number of related statutes.

Based on the DEO's analysis of a similar bill, SB 1388 (2015), the bill may have a minimal, but indeterminate, fiscal impact on the agency.

The effective date of the bill is October 1, 2016.

II. Present Situation:

Special Districts

A "special district" is "a unit of local government created for a special purpose... operat[ing] within a limited geographic boundary and is created by general law, special act, local ordinance, or rule of the Governor and Cabinet."¹ Special districts are created to provide a wide variety of

¹ Section 189.012(6), F.S.

services, such as mosquito control,² beach facilities,³ children's services,⁴ fire control and rescue,⁵ or drainage control.⁶

Special districts can be classified as “dependent special districts”⁷ or “independent special districts.”⁸ For a district to be classified as a “dependent special district,” the district must meet at least one of the following criteria:

- Membership of its governing body is identical to that of the governing body of a single county or a single municipality;⁹
- All members of its governing body are appointed by the governing body of a single county or a single municipality;¹⁰
- The members of its governing body are subject to removal at will by the governing body of a single county or single municipality, during their unexpired terms;¹¹ **or**
- The district's budget requires approval or can be vetoed by the governing body of a single county or a single municipality.¹²

An “independent special district” is any special district that does not meet the definition of “dependent special district.”¹³ Furthermore, any special district that includes territory in more than one county is an independent special district, unless the district lies entirely within the borders of a single municipality.¹⁴

According to the DEO's Special District Accountability Program Official List of Special Districts, the state currently has 1,659 special districts.¹⁵ The districts can be further classified as follows:

- 1,648 active districts, 11 inactive districts;
- 634 dependent special districts; and
- 1,025 independent special districts.

Special districts are governed generally by the Uniform Special District Accountability Act (Act).¹⁶ The Act, initially passed in 1989,¹⁷ created ch. 189, F.S. to centralize provisions

² Section 388.021(1), F.S. (however, new independent mosquito control districts are prohibited, *see* s. 388.021(2), F.S.).

³ *See* Section 189.011, F.S.

⁴ Section 125.901(1), F.S.

⁵ Section 191.002, F.S.

⁶ Section 298.01, F.S.

⁷ Section 189.012(2), F.S.

⁸ Section 189.012(3), F.S.

⁹ Section 189.012(2)(a), F.S.

¹⁰ Section 189.012(2)(b), F.S.

¹¹ Section 189.012(2)(c), F.S.

¹² Section 189.012(2)(d), F.S.

¹³ Section 189.012(3), F.S.

¹⁴ *Id.*

¹⁵ *See* Department of Economic Opportunity, *Official List of Special Districts Online – Directory*, available at <https://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/last> visited January 24, 2016).

¹⁶ Section 189.01, F.S., *but see* ch. 190, F.S. (community development districts), ch. 191, F.S. (independent special fire control districts).

¹⁷ Ch. 89-169, Laws of Fla.

governing special districts. Chapter 189 applies to the formation,¹⁸ governance,¹⁹ administration,²⁰ supervision,²¹ merger,²² and dissolution²³ of special districts, unless otherwise expressly provided in law.²⁴ The Act also provided an extensive statement of legislative intent to improve accountability of special districts to state and local governments and to provide for more effective communication and coordination in the monitoring of required reporting.²⁵

In 2014, the Act was revised extensively and reorganized into eight parts:²⁶ The revision made significant changes to provisions concerning independent special districts and special district oversight and accountability.²⁷

Internet Accessible Budgets

Each special district is required to post a tentative budget to its website at least 2 days before a budget hearing.²⁸ If the budget is approved at the hearing, it must be posted to the district's website within 30 days after adoption.²⁹ If the budget is later amended, the adopted amendment must be posted on the district's website within 5 days after adoption.³⁰ If a dependent special district does not operate a website, the Act creates alternative avenues for publication.³¹

Dependent special districts must submit the budget or amendment to the local governing authority on which the district is dependent.³² The special district must transmit the budget or amendment to the local governing authority "within a reasonable period of time," as determined by the local governing authority.³³ After transmission, the local governing authority posts the budget or amendment to its own website.³⁴ Independent special districts follow the same procedure, but instead submit their budget and amendments to the local general-purpose governments in which the district is located.³⁵

¹⁸ See Section 189.02, F.S. (creation of dependent special districts), Section 189.031, F.S. (creation of independent special districts).

¹⁹ See Section 189.0311, F.S. (charter requirements for independent special districts).

²⁰ See Section 189.019, F.S. (requiring codification of charters incorporating all special acts for the district).

²¹ See Section 189.034, F.S. (oversight for special districts created by special act of the Legislature).

²² Sections 189.071, 189.074, F.S.

²³ Sections 189.071, 189.072, F.S.

²⁴ See Section 190.004, F.S. (Ch. 190, F.S. as "sole authorization" for creation of community development districts).

²⁵ Section 189.06, F.S.

²⁶ Ch. 2014-22, Laws of Fla.

²⁷ Ch. 2014-22, s. 34, Laws of Fla.

²⁸ Section 189.016(4), F.S.

²⁹ *Id.*

³⁰ Section 189.016(7), F.S.

³¹ See Section 189.016(4), (7), F.S.

³² Section 189.016(4), (7), F.S.

³³ Section 189.016(4), (7), F.S.

³⁴ Section 189.016(4), (7), F.S.

³⁵ Section 189.016(4), (7), F.S.

Creation of Dependent Special Districts

Under current law, new dependent special districts typically are created by the passage of an ordinance by a county or municipal government.³⁶ A district must rest entirely inside the boundary lines of the creating local government entity.³⁷ The ordinance creating the special district must include:

- Purpose, powers, functions, and duties of the district;³⁸
- Geographic boundaries of the district;³⁹
- Authority of the district;⁴⁰
- An explanation of why the district is the best mechanism for service delivery;⁴¹
- Membership, organization, compensation, and administrative duties of the district's board;⁴²
- Applicable financial disclosure, noticing, and reporting requirements;⁴³
- Method for financing the district;⁴⁴ and
- Declaration that the creation of the district is consistent with the approved local government comprehensive plans.⁴⁵

General oversight for dependent special districts rests with the local general-purpose government to which the district is dependent.⁴⁶

Status Statements

The charter for any new special district created after October 1, 1997, must contain a reference to the status of the district as dependent or independent.⁴⁷ Existing special districts are required to amend their charter to contain status information, where practical.⁴⁸ If a district fails to submit its status to the DEO as required by statute, the DEO is authorized to determine the district's status as dependent or independent.⁴⁹

Oversight of Special Districts

When an independent special district fails to file required reports or requested information, the Joint Legislative Auditing Committee (JLAC) provides written notice of the district's noncompliance to the President of the Senate, the Speaker of the House of Representatives, the

³⁶ Section 189.02(1), F.S. Prior to September 30, 1989, some dependent special districts were created by general law or special act. There are currently 108 active dependent special districts that were created by general law and 74 created by special act.

³⁷ Section 189.02(2), (3), F.S.

³⁸ Section 189.02(4)(a), F.S.

³⁹ Section 189.02(4)(b), F.S.

⁴⁰ Section 189.02(4)(c), F.S.

⁴¹ Section 189.02(4)(d), F.S.

⁴² Section 189.02(4)(e), F.S.

⁴³ Section 189.02(4)(f), F.S.

⁴⁴ Section 189.02(4)(g), F.S.

⁴⁵ Section 189.02(4)(h), F.S.

⁴⁶ Section 189.068(2)(c), F.S.

⁴⁷ Section 189.031(5), F.S.

⁴⁸ *Id.*

⁴⁹ Section 189.061(4), F.S.

standing committees of the Senate and House of Representatives charged with special district oversight, and the legislators who represent any portion of the geographic jurisdiction of the district.⁵⁰ The JLAC may then convene a public hearing at the direction of the President of the Senate and the Speaker of the House of Representatives.⁵¹ Before the JLAC's public hearing, the special district is required to provide:⁵²

- Annual financial report for the prior fiscal year;⁵³
- Audit report for the previous fiscal year;⁵⁴ and
- Annual report for the previous fiscal year, providing a detailed review of the performance of the special district.⁵⁵

When a dependent special district fails to file required reports or requested information, the JLAC provides written notice of the district's noncompliance to the head of the local general-purpose government to which the district is dependent.⁵⁶ The local general-purpose government may conduct a public hearing within 3 months of the receipt of the notice of noncompliance from the JLAC.⁵⁷ The local general-purpose government has 30 days upon receipt of the notice to inform the JLAC of the date, time, and place of the public hearing.⁵⁸ The special district must provide the local general-purpose government the same information required by an independent special district appearing before the JLAC.⁵⁹ If the local general-purpose government convenes a public hearing, it must provide the DEO and the JLAC a report containing findings and conclusions within 60 days.⁶⁰

Special District Accountability Program

The DEO is tasked with the administration of the Special District Accountability Program.⁶¹ As part of administering the program, the DEO is required to:

- Electronically publish special district noncompliance status reports;⁶²
- Maintain an official "master" list of dependent and independent special districts; and⁶³
- Publish and update the "Florida Special District Handbook."⁶⁴

⁵⁰ Section 189.034(2), F.S.

⁵¹ Section 189.034(3), F.S. The hearing may address general oversight of the district as well as the district's noncompliance with reporting. *Id.*

⁵² Section 189.034(4), F.S.

⁵³ Section 189.034(4)(a), F.S.

⁵⁴ Section 189.034(4)(b), F.S.

⁵⁵ Section 189.034(4)(c), F.S. The "detailed review" required includes the special district's purpose, sources of funding, major activities, challenges or obstacles faced, ways to better fulfill its purpose, changes to the special act that would aid in fulfilling purpose, any other information reasonably required to provide accurate understanding of situation, reasons for noncompliance, whether district is now in compliance, plans to correct recurring issues of noncompliance, and efforts to promote transparency.

⁵⁶ Section 189.035(2), F.S.

⁵⁷ Section 189.035(3), F.S.

⁵⁸ *Id.*

⁵⁹ *See* Section 189.035(4), F.S.

⁶⁰ Section 189.035(5), F.S.

⁶¹ Section 189.064, F.S.

⁶² Section 189.064(1), F.S.

⁶³ Section 189.064(2), F.S.

⁶⁴ Section 189.064(3), F.S.

The Florida Special District Handbook must contain:

- Definitions of special districts and status distinctions;⁶⁵
- Provisions concerning special district creation, implementation, modification, dissolution, and operating procedures; and⁶⁶
- Summary of reporting requirements.⁶⁷

The official list of special districts contains all special districts, sorted by county and containing an identification of independent or dependent status.⁶⁸ Each special district has 60 days to report its status to the DEO upon request.⁶⁹ If the special district does not report its status within 60 days, the DEO has the authority to determine the status of the district and then must render the determination to an agent of the district.⁷⁰ The DEO must make the official list available on its website and must provide links to the website of each special district that operates a website.⁷¹

The determination of the status of a special district, or its inclusion on the official list of special districts, is not a final agency action under ch. 120, F.S.⁷² If the status of the district on the official list is inconsistent with the status submitted by the district, the district may request that the DEO issue a declaratory statement setting forth the steps to resolve the inconsistency.⁷³ A special district may then either appeal the declaratory statement pursuant to ch. 120 or apply to the entity which established its charter to amend the charter to correct the deficiency.⁷⁴

Inactive Special Districts

Whether dependent or independent, when a special district no longer fully functions or fails to meet its statutory responsibilities, the DEO is required to declare that district inactive by following a specified process.⁷⁵ The DEO must first document the factual basis for declaring the district inactive.

⁶⁵ Section 189.064(3)(a), F.S.

⁶⁶ Section 189.064(3)(b), F.S.

⁶⁷ Section 189.064(3)(c), F.S.

⁶⁸ Section 189.061(1), F.S.

⁶⁹ Section 189.061(2), F.S.

⁷⁰ Section 189.061(4), F.S.

⁷¹ Section 189.061(5), F.S.

⁷² Section 189.061(6), F.S. Ch. 120, F.S., is the Florida Administrative Procedure Act (APA). If an agency's decision constitutes final agency action under ch. 120, F.S., the party affected by the decision may be entitled to a hearing prior to the decision and may be entitled to appeal an adverse decision to the appropriate appellate court. *See* Sections 120.569, 120.57, and 120.68, F.S.

⁷³ *Id.* A declaratory statement is an agency's opinion on the applicability of a statute, agency rule, or order to the petitioner. Section 120.565, F.S. Denial of a petition for declaratory statement is subject to the hearing procedures of the APA as well as appellate review. Sections 120.52(2), (7), 120.569, and 120.68, F.S.

⁷⁴ *Id.*

⁷⁵ Section 189.062(1), F.S. Prior to 2014, the former statute required the DEO to document the existence of one of five criteria listed in paragraph (1)(a), publication and service under paragraph (1)(b) of a notice of intent to declare the district inactive, and the lack of any administrative appeal of the declaration within 21 days of that publication. Section 189.4044, F.S. (2013). In 2014, as ch. 189, F.S., was extensively revised and restructured, the word "or" was added at the end of s. 189.062(1)(a)6, F.S., apparently allowing the DEO either to document one of the six criteria *or* publish notice of intent to declare inactive and find no appeal is filed. Chapter 2014-22, s. 24, Laws of Florida. During the 2015 regular legislative session, the Florida Senate passed CS/SB 1388, its version of a bill resolving technical issues stemming from the 2014 revisions, which would have amended s. 189.062(1)(a)6., F.S., by removing the word "or." CS/SB 1388 (2015), s. 11, at line 414 (bill did not pass the Legislature). The DEO still uses the 3-step process as described in the 2013 statute.

A special district may be declared inactive if it meets one of six specific factors:

- The registered agent of the district, the chair of the district governing body, or the governing body of the appropriate local general-purpose government:
 - Provides the DEO with written notice that the district has taken no action for 2 or more years.⁷⁶
 - Provides the DEO with written notice that the district has not had any members on its governing body or insufficient numbers to constitute a quorum for 2 or more years.⁷⁷
 - Fails to respond to an inquiry from the DEO within 21 days.⁷⁸
- Following statutory procedure,⁷⁹ the DEO determines the district failed to file specified reports,⁸⁰ including required financial reports.⁸¹
- For more than 1 year, no registered office or agent for the district was on file with the DEO.⁸²
- The governing body of the district unanimously adopts a resolution declaring the district inactive and provides documentation of the resolution to the DEO.⁸³

Once the DEO determines which criterion applies to the district, notice of the proposed declaration of inactive status is published by the DEO.⁸⁴ The notice must state that any objections to declaring the district inactive must be filed with the DEO pursuant to ch. 120, F.S., within 21 days after the publication date.⁸⁵ If no objection is filed within the 21-day period, the DEO declares the district inactive.⁸⁶

After declaring certain special districts inactive, the DEO must send written notice of the declaration to the authorities which created the district. If the district was created by special act, the DEO sends written notice to the Speaker of the House of Representatives, the President of the Senate, and the standing committees in each chamber responsible for special district oversight.⁸⁷

⁷⁶ Section 189.062(1)(a)1., F.S.

⁷⁷ Section 189.062(1)(a)2., F.S.

⁷⁸ Section 189.062(1)(a)3., F.S.

⁷⁹ Section 189.067, F.S.

⁸⁰ Section 189.066, F.S.

⁸¹ Section 189.062(1)(a)4., F.S. *See*, ss. 189.016(9), 218.32, and 218.39, F.S.

⁸² Section 189.062(1)(a)5., F.S.

⁸³ Section 189.062(1)(a)6., F.S.

⁸⁴ Section 189.062(1)(b), F.S. Publication must be in a newspaper of general circulation in the county or municipality where the district is located and a copy sent by certified mail to the district's registered agent or chair of the district's governing body, if any. See also the Florida Special District Handbook available at: <http://www.floridajobs.org/community-planning-and-development/special-districts/special-district-accountability-program/florida-special-district-handbook-online/dissolving-special-districts#Inactive>. Last visited January 24, 2016.

⁸⁵ *Id.* The published notice also must include the name of the district, the law under which it was organized and operating, and a description of the district's territory.

⁸⁶ Section 189.062(1)(c), F.S.

⁸⁷ Section 189.062(3), F.S. The statute provides that the declaration of inactive status is sufficient notice under Art. III, s. 10 of the Florida Constitution to authorize the repeal of special laws creating or amending the charter of the inactive district. This statute stands in lieu of the normal requirement for publication of notice of intent to file a local bill at least 30 days before introducing the bill in the Legislature, under s. 11.02, F.S.

The property and assets of a special district declared inactive by the DEO are first used to pay any debts of the district. Any remaining property or assets then escheat to the county or municipality in which the district was located. If the district's assets are insufficient to pay its outstanding debts, the local general-purpose government in which the district was located may assess and levy within the territory of the inactive district such taxes as necessary to pay the remaining debt.⁸⁸

A district declared inactive may not collect taxes, fees, or assessments.⁸⁹ This prohibition continues until the declaration of invalidity is withdrawn or revoked by the DEO⁹⁰ or invalidated in an administrative proceeding⁹¹ or civil action⁹² timely brought by the governing body of the special district.⁹³ Failure of the special district to challenge (or prevail against) the declaration of inactive status enables the DEO to enforce the statute through a petition for enforcement in circuit court.⁹⁴

Declaring a special district to be inactive does not dissolve the district or otherwise cease its legal existence. Subsequent action is required to repeal the legal authority creating the district, whether by the Legislature⁹⁵ or the entity that created the district.⁹⁶

Internet Accessible Reporting

Each special district is required to maintain an official website containing essential information⁹⁷ about the district.⁹⁸ Independent special districts are required to maintain their own website,⁹⁹ while a link to information about dependent special districts must be displayed on the home page of the local general-purpose government which created the district.¹⁰⁰

Conversion or Merger of Independent Special Districts

Section 165.0615, F.S., enables the qualified electors of an independent special district to file a petition to incorporate the district as a municipality, subject to approval via referendum.¹⁰¹ If the

⁸⁸ Section 189.062(2), F.S.

⁸⁹ Section 189.062(5), F.S.

⁹⁰ Section 189.062(5)(a), F.S.

⁹¹ Section 189.062(5)(b)1., F.S. Administrative proceedings are conducted pursuant to s. 120.569, F.S.

⁹² Section 189.062(5)(b)2., F.S. The action for declaratory and injunctive relief is brought under ch. 86, F.S.

⁹³ The special district must initiate the legal challenge within 30 days after the date the written notice of the department's declaration of inactive status is provided to the special district. Section 189.062(5)(b), F.S.

⁹⁴ Section 189.062(5)(c), F.S. The enforcement action is brought in the circuit court in and for Leon County, Florida.

⁹⁵ Sections 189.071(3) and 189.072(3), F.S.

⁹⁶ Section 189.062(4), F.S. Unless otherwise provided by law or ordinance, dissolution of a special district transfers title to all district property to the local general-purpose government, which also must assume all debts of the dissolved district. Section 189.076(2), F.S.

⁹⁷ Section 189.069(2)(a), F.S. The website must include the district's legal name, public purpose, vital information about the governing body, fiscal year, charter and associated information, contact information, geographic area, table of all taxes and fees, contact information for district's spokesperson, code of ethics, budget, and audit report for the most recently completed fiscal year.

⁹⁸ Section 189.069(1), F.S.

⁹⁹ Section 189.069(1)(a), F.S.

¹⁰⁰ Section 189.069(1)(b), F.S. Dependent special districts may maintain their own webpage, but are not required to do so.

¹⁰¹ Section 165.0615(1), F.S.

electors approve of the conversion, the district is required to notify both the Special District Accountability Program and the local general-purpose governments where the district is located.¹⁰²

Section 189.074, F.S., allows for the voluntary merger of two or more independent special districts.¹⁰³ The merger can be initiated by either the governing bodies of each independent special district¹⁰⁴ or by a petition of qualified electors in the district.¹⁰⁵ Both methods of voluntary merger require the governing boards of the respective independent special districts to notify the supervisor of elections of the relevant counties.¹⁰⁶ The supervisor of elections is required to schedule a referendum in each district, which must occur no more than 20 days apart.¹⁰⁷

III. Effect of Proposed Changes:

Section 1 amends s. 11.40, F.S., to conform cross-references.

Section 2 amends s. 189.011, F.S., to expand legislative intent¹⁰⁸ to include all special districts in the requirements of registration, financial and other reporting and provides a mechanism for noncompliance with minimum disclosure requirements. The section also clarifies the intent of the Legislature to authorize action against a special district itself for failure to comply with disclosure requirements, instead of the members of the district's board.

Section 3 amends s. 189.016, F.S., to require special districts to make their budgets and subsequent amendments available on the special district's website.

- The tentative budget must remain on the website for at least 45 days after budget hearing.
- The final budget must remain on the website for at least 2 years after the adopted budget is posted on the district's website.
- Amendments to the budget must remain on the website for at least 2 years after the adopted budget is posted on the district's website.

The section also removes the requirement for special districts without a website to transmit their tentative budgets, final budgets, and amendments to the local governing authority or the local general-purpose government in which the special district is located.

Section 4 reenacts s. 165.0615(16), F.S., relating to municipal conversion of independent special districts upon elector-initiated and approved incorporation plans, to incorporate the amendments made by the bill to s. 189.016, F.S.

¹⁰² Section 165.0615(16), F.S.

¹⁰³ Section 189.074, F.S.

¹⁰⁴ Section 189.074(2), F.S.

¹⁰⁵ Section 189.074(3), F.S.

¹⁰⁶ Section 189.074(2)(e), F.S. (for joint mergers by resolution), s. 189.074(3)(g), F.S. (for joint mergers by qualified elector petition).

¹⁰⁷ Sections 189.074(2)(e) and 189.074(3)(g), F.S.

¹⁰⁸ Section 189.011(2), F.S.

Section 5 creates s. 189.02(5), F.S., to clarify the Legislature's ability to create dependent special districts by special act at the request or with the consent of the local government upon which the special district will be dependent.

Section 6 creates s. 189.022, F.S., to require dependent special districts to identify themselves as such in their charters.

Section 7 amends s. 189.031, F.S., to require independent special districts to identify themselves as such in their charters.

Section 8 renumbers, transfers, and amends s. 189.034, F.S., concerning oversight of special districts created by special act of the Legislature. The section also removes several provisions shared by the independent and dependent special district oversight processes and places them in new s. 189.0651, F.S.

Section 9 renumbers, transfers, and amends s. 189.035, F.S., concerning oversight of special districts created by local ordinance or resolution. The section also removes several provisions shared by the independent and dependent special district oversight processes and places them in new s. 189.0652, F.S.

Section 10 amends s. 189.061, F.S., to revise criteria for the official list of special districts. The official list must exclude all districts that are declared inactive. The official list must also be maintained by the DEO using the information filed by the special districts with the DEO. If a special district does not submit the required written status statement, the DEO may determine the status of the district. After the DEO determines the status, the DEO must render its determination to an agent of the special district.

The official list of special districts or the determination of status does not constitute a final agency action pursuant to ch. 120, F.S. The section also provides a procedural process if there is an inconsistency between the status of a special district on the official list and the status submitted by the district.

The Auditor General must notify the DEO of each entity that attempts to report as a special district in an audit report issued pursuant to s. 218.39, F.S., which is not included on the official list of special districts. If the DEO determines that such an entity is a special district, the DEO shall add the entity to the official list and notify each such entity that it is required to comply with s. 189.013, F.S.

Section 11 amends s. 189.062, F.S., to clarify that the DEO shall declare a special district inactive by documenting that the special district meets one of the six statutory criteria for being considered inactive, publishing notice of intent to declare the district inactive, and affirming that no administrative appeal of the declaration has been filed within 21 days of publication.

The section also provides that each special act creating or amending the charter of a special district declared to be inactive may be repealed by general law initiated by either of the standing committees of the Senate or the House of Representatives with the approval of the chamber's presiding officer. However, notice of the introduction of legislation providing for such repeal of

a special act must be given to each member of the Legislature who represents any portion of the area within the jurisdiction of the special district.

Section 12 amends s. 189.064, F.S., to revise the required content of the special district handbook to contain a section that summarizes the public facilities reporting requirements and the evaluation and appraisal notification schedule as provided in s. 189.08(2), F.S.

Section 13 creates s. 189.0653, F.S., to require a special district to provide certain information at the request of the local general-purpose government or the Joint Legislative Auditing Committee. The section does not make any substantive changes to current law. Rather, this section is the consolidation of provisions that were shared by the independent and dependent special district oversight processes in ss. 189.034 and 189.035, F.S.

Section 14 amends s. 189.067, F.S., to conform cross-references.

Section 15 amends s. 189.068, F.S., to conform cross-references and other changes made in the bill.

Section 16 amends s. 189.069, F.S., to revise the list of items required to appear on a special district's website. The section requires the website for a dependent special district to be displayed prominently on the home page of the local general-purpose government upon which it is dependent, whether that government created the special district or not. The section also requires the district's website to include a listing of regularly scheduled public meetings (including date, time, and location), a copy of the district's public facilities report, a link to the Department of Financial Services website, and an agenda of an upcoming meeting or workshop.

Section 17 amends s. 189.071, F.S., to clarify language concerning the merger or dissolution of dependent special districts.

Section 18 amends s. 189.072, F.S., to remove redundant language.

Section 19 reenacts ss. 189.074(2)(e), (3)(g), F.S., relating to voluntary merger of independent special districts, to incorporate the amendment made by the bill to s. 189.016, F.S.

Section 20 provides an effective date of October 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Based on the DEO's analysis of SB 1388, a similar bill from 2015, SB 956 may have a minimal, but indeterminate, fiscal impact on the DEO.¹⁰⁹

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 11.40, 189.011, 189.016, 189.02, 189.031, 189.061, 189.062, 189.064, 189.067, 189.068, 189.069, 189.071, and 189.072 of the Florida Statutes.

This bill reenacts sections 165.0615 and 189.074 of the Florida Statutes.

This bill creates sections 189.022 and 189.0653 of the Florida Statutes.

This bill transfers, renumbers, and amends sections 189.034 and 189.035 of the Florida Statutes as sections 189.0651 and 189.0652, respectively.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

¹⁰⁹ Department of Economic Opportunity, *SB 1388 Legislative Bill Analysis* (Mar. 3, 2015).

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Higher Education, *Chair*
Appropriations Subcommittee on Education
Fiscal Policy
Judiciary
Military and Veterans Affairs, Space, and Domestic Security
Regulated Industries

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR KELLI STARGEL
15th District

January 21, 2016

The Honorable Jack Latvala
Senate Appropriations Subcommittee
On Transportation, Tourism, and Economic Development, Chair
408 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Dear Chair Latvala:

I respectfully request that SB 956, related to *Special Districts*, be placed on the committee agenda at your earliest convenience.

Thank you for your consideration and please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kelli Stargel".

Kelli Stargel
State Senator, District 15

Cc: Phillip Miller/ Staff Director
Elizabeth Wells/ AA

REPLY TO:

- 2033 East Edgewood Drive, Suite 1, Lakeland, Florida 33803
- 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5015

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Higher Education, *Chair*
Appropriations Subcommittee on Education
Fiscal Policy
Judiciary
Military and Veterans Affairs, Space, and Domestic
Security
Regulated Industries

JOINT COMMITTEE:
Joint Committee on Public Counsel Oversight

SENATOR KELLI STARGEL
15th District

January 28, 2016

Chairman Latvala

Dear Chair Latvala:

I am requesting permission for my LA, Rachel Barnes, to present SB 956 which is dealing with Special Districts at your committee meeting.

Thank you for this consideration,

Sincerely,

A handwritten signature in cursive script that reads "Kelli Stargel".

Kelli Stargel
State Senator, District 15

Cc: Philip Miller / Staff Director
Elizabeth Wells / CAA

REPLY TO:

- 2033 East Edgewood Drive, Suite 1, Lakeland, Florida 33803
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ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

By the Committee on Transportation; and Senator Hutson

596-02370-16

20161046c1

1 A bill to be entitled
2 An act relating to farm vehicles; amending s. 316.003,
3 F.S.; defining the term "covered farm vehicle" for
4 purposes of the Florida Uniform Traffic Control Law;
5 amending s. 316.302, F.S.; providing exemptions for
6 covered farm vehicles and the operators of such
7 vehicles from specified federal regulations relating
8 to controlled substances and alcohol use and testing,
9 commercial driver licenses, physical qualifications
10 and examinations, hours of service of drivers, and
11 inspection, repair, and maintenance when operating
12 under certain conditions, notwithstanding specified
13 statutory provisions; providing applicability;
14 conforming a cross-reference; amending s. 322.53,
15 F.S.; exempting the driver of a covered farm vehicle
16 from commercial driver license requirements; amending
17 ss. 316.3025 and 316.3026, F.S.; conforming cross-
18 references; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Subsection (94) is added to section 316.003,
23 Florida Statutes, to read:

24 316.003 Definitions.—The following words and phrases, when
25 used in this chapter, shall have the meanings respectively
26 ascribed to them in this section, except where the context
27 otherwise requires:

28 (94) COVERED FARM VEHICLE.—A straight truck, or an
29 articulated vehicle, which is all of the following:

30 (a) Registered in a state with a license plate, or any
31 other designation issued by that state, which allows law
32 enforcement officers to identify it as a farm vehicle.

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33 (b) Operated by the owner or operator of a farm or ranch or
34 by an employee or a family member of an owner or operator of a
35 farm or ranch in accordance with s. 316.302(3).

36 (c) Used to transport agricultural commodities, livestock,
37 machinery, or supplies to or from a farm or ranch.

38 (d) Not used in for-hire motor carrier operations; however,
39 for-hire motor carrier operations do not include the operation
40 of a vehicle meeting the requirements of paragraphs (a)-(c) by a
41 tenant pursuant to a crop-share farm lease agreement to
42 transport the landlord's portion of the crops under that
43 agreement.

44 Section 2. Present subsections (3) through (12) of section
45 316.302, Florida Statutes, are renumbered as subsections (4)
46 through (13), respectively, a new subsection (3) is added to
47 that section, and paragraph (a) of present subsection (8) is
48 amended, to read:

49 316.302 Commercial motor vehicles; safety regulations;
50 transporters and shippers of hazardous materials; enforcement.-

51 (3) Notwithstanding any contrary provision in subsections
52 (1) and (2), a covered farm vehicle, as defined in s. 316.003,
53 and the operator of such vehicle are exempt from the
54 requirements relating to controlled substances and alcohol use
55 and testing in 49 C.F.R. part 382; commercial driver licenses in
56 49 C.F.R. part 383; physical qualifications and examinations in
57 49 C.F.R. part 391, subpart E; hours of service of drivers in 49
58 C.F.R. part 395; and inspection, repair, and maintenance in 49
59 C.F.R. part 396, when operating:

60 (a) Anywhere in this state if the covered farm vehicle has
61 a gross vehicle weight or gross vehicle weight rating, whichever

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62 is greater, of 26,001 pounds or less.

63 (b) Anywhere in the state of registration, or across state
64 lines within 150 air miles of the farm or ranch with respect to
65 which the vehicle is being operated, if the covered farm vehicle
66 has a gross vehicle weight or gross vehicle weight rating,
67 whichever is greater, of more than 26,001 pounds.

68
69 The provisions in this subsection do not apply to a vehicle
70 transporting hazardous materials in amounts that require
71 placarding pursuant to 49 C.F.R. part 172.

72 (9)~~(8)~~ For the purpose of enforcing this section, any law
73 enforcement officer of the Department of Highway Safety and
74 Motor Vehicles or duly appointed agent who holds a current
75 safety inspector certification from the Commercial Vehicle
76 Safety Alliance may require the driver of any commercial vehicle
77 operated on the highways of this state to stop and submit to an
78 inspection of the vehicle or the driver's records. If the
79 vehicle or driver is found to be operating in an unsafe
80 condition, or if any required part or equipment is not present
81 or is not in proper repair or adjustment, and the continued
82 operation would present an unduly hazardous operating condition,
83 the officer may require the vehicle or the driver to be removed
84 from service pursuant to the North American Standard Out-of-
85 Service Criteria, until corrected. However, if continuous
86 operation would not present an unduly hazardous operating
87 condition, the officer may give written notice requiring
88 correction of the condition within 14 days.

89 (a) Any member of the Florida Highway Patrol or any law
90 enforcement officer employed by a sheriff's office or municipal

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91 police department authorized to enforce the traffic laws of this
92 state pursuant to s. 316.640 who has reason to believe that a
93 vehicle or driver is operating in an unsafe condition may, as
94 provided in subsection (11) ~~(10)~~, enforce the provisions of this
95 section.

96 Section 3. Paragraph (c) of subsection (2) of section
97 322.53, Florida Statutes, is amended to read:

98 322.53 License required; exemptions.—

99 (2) The following persons are exempt from the requirement
100 to obtain a commercial driver license:

101 (c)1. Farmers transporting agricultural products, farm
102 supplies, or farm machinery to or from their farms and within
103 150 miles of their farms, if the vehicle operated under this
104 exemption is not used in the operations of a common or contract
105 motor carrier.

106 2. Drivers of covered farm vehicles, as defined in s.
107 316.003, if the vehicles are operated in accordance with s.
108 316.302(3).

109 Section 4. Paragraph (e) of subsection (3) of section
110 316.3025, Florida Statutes, is amended to read:

111 316.3025 Penalties.—

112 (3)

113 (e) A civil penalty not to exceed \$5,000 in the aggregate
114 may be assessed for violations found in the conduct of
115 compliance reviews pursuant to s. 316.302(6) ~~s. 316.302(5)~~. A
116 civil penalty not to exceed \$25,000 in the aggregate may be
117 assessed for violations found in a followup compliance review
118 conducted within a 24-month period. A civil penalty not to
119 exceed \$25,000 in the aggregate may be assessed and the motor

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120 carrier may be enjoined pursuant to s. 316.3026 if violations
121 are found after a second followup compliance review within 12
122 months after the first followup compliance review. Motor
123 carriers found to be operating without insurance required by s.
124 627.7415 may be enjoined as provided in s. 316.3026.

125 Section 5. Subsection (1) of section 316.3026, Florida
126 Statutes, is amended to read:

127 316.3026 Unlawful operation of motor carriers.—

128 (1) The Office of Commercial Vehicle Enforcement may issue
129 out-of-service orders to motor carriers, as defined in s.
130 320.01, who, after proper notice, have failed to pay any penalty
131 or fine assessed by the department, or its agent, against any
132 owner or motor carrier for violations of state law, refused to
133 submit to a compliance review and provide records pursuant to s.
134 316.302(6) ~~s. 316.302(5)~~ or s. 316.70, or violated safety
135 regulations pursuant to s. 316.302 or insurance requirements in
136 s. 627.7415. Such out-of-service orders have the effect of
137 prohibiting the operations of any motor vehicles owned, leased,
138 or otherwise operated by the motor carrier upon the roadways of
139 this state, until the violations have been corrected or
140 penalties have been paid. Out-of-service orders must be approved
141 by the director of the Division of the Florida Highway Patrol or
142 his or her designee. An administrative hearing pursuant to s.
143 120.569 shall be afforded to motor carriers subject to such
144 orders.

145 Section 6. This act shall take effect July 1, 2016.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1046

INTRODUCER: Transportation Committee and Senator Hutson

SUBJECT: Farm Vehicles

DATE: January 27, 2016

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|--------------|----------------|-----------|-------------------------------|
| 1. | Price | Eichin | TR | Fav/CS |
| 2. | Wells/Miller | Miller | ATD | Recommended: Favorable |
| 3. | | | FP | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1046 exempts “covered farm vehicles,” under specified conditions, from federal regulations relating to controlled substances and alcohol use and testing; commercial driver licenses; physical qualifications and examinations; hours of service of drivers; and vehicle inspection, repair, and maintenance. These exemptions were authorized in the Moving Ahead for Progress in the 21st Century Act (MAP-21) in June of 2012¹ but are not included in Florida law.

The effective date of this bill is July 1, 2016.

II. Present Situation:

Current Florida and federal law, the former of which is heavily but not entirely predicated on the latter, contain requirements relating to interstate and intrastate operation of Commercial Motor Vehicles (CMVs).² Both federal and state law also contain a number of exemptions specifically applied to agricultural-related CMV operation. The federal MAP-21 Act exempts “covered farm vehicles” (CFVs) and their drivers from specified federal regulations. These exemptions are not currently authorized in Florida law.

¹ Pub. L. 112-141.

²See s. 316.302, F.S.

State Application of Federal Law and Relevant State Exemptions

Generally, CMVs operated in interstate or intrastate commerce are subjected to various provisions of federal law in state statute, specifically:

- Part 382, Controlled Substance and Alcohol Use and Testing.
- Part 383, Commercial Driver’s License Standards.
- Part 385, Safety Fitness Procedures.
- Part 390, General Federal Motor Carrier Safety Regulations.
- Part 391, Physical Qualifications and Examinations.^{3, 4}
- Part 392, Driving of Commercial Motor Vehicles.
- Part 393, Parts and Accessories Necessary for Safe Operation.
- Part 395, Hours of Service of Drivers.⁵
- Part 396, Inspection, Repair, and Maintenance.
- Part 397, Transportation of Hazardous Materials; Driving and Parking Rules.⁶

Driver Licensing and Agricultural-Related Exemptions

Every person driving a motor vehicle⁷ must hold a valid driver license.⁸ However, a person is exempt from this requirement while driving or operating any road machine, farm tractor,⁹ or implement of husbandry¹⁰ temporarily operated or moved on a highway.¹¹

Every person driving a CMV in this state is required to hold a valid commercial driver license (CDL),¹² with certain exceptions. Farmers transporting agricultural products, farm supplies, or farm machinery to or from their farms and within 150 miles of their farms are exempt from the

³ Except that a person operating a CMV solely in intrastate commerce not transporting hazard materials that require placarding need not comply with 49 C.F.R., Subpart G, s. 391.11(b)(1), which generally requires a CMV driver to be at least 21 years of age. Section 316.302(2)(a), F.S.

⁴ Section 316.302 (3), F.S., authorizes a person who has not attained 18 years of age to operate a CMV with a gross vehicle weight of less than 26,001 pounds while transporting agricultural products, including horticultural or forestry products, from farm or harvest place to storage or market.

⁵ Except that a person operating a CMV solely in intrastate commerce not transporting hazard materials that require placarding need not comply with 49 C.F.R. s. 395.3(a) and (b), relating to maximum driving times for property carrying vehicles. Section 316.302(2)(a), F.S. Such operators also need not comply with the duty status record-keeping (“log book”) requirements of 49 C.F.R. s. 395.8. Section 316.302(2)(d), F.S.

⁶ *Supra* note 2. While s. 316.302(1)(a), F.S., does not expressly apply 49 C.F.R. Part 383, relating to CDLs, to interstate CMV drivers, federal CDL requirements are enforced in state law through Chapter 322, F.S.

⁷ Defined for purposes of Chapter 322, F.S., as any self-propelled vehicle, including a motor vehicle combination, not operated upon rails or guideway, excluding vehicles moved solely by human power, motorized wheelchairs, and motorized bicycles as defined in s. 316.003. Section 322.01(27), F.S.

⁸ Section 322.03, F.S.

⁹ Defined for purposes of Chapter 322, F.S., as a motor vehicle that is operated principally on a farm, grove, or orchard in agricultural or horticultural pursuits and that is operated on the roads of this state only incidentally for transportation between the owner’s or operator’s headquarters and the farm, grove, or orchard or between one farm, grove, or orchard and another OR designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. Section 322.01(20), F.S.

¹⁰ The term is not defined in Chapter 322, F.S., but is defined in s. 316.003(16), F.S., as any vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry *and in either case not subject to registration if used upon the highways.*

¹¹ Section 322.04(1)(b), F.S.

¹² Section 322.53, F.S.

CDL requirement if the transporting vehicle is not used in the operations of a common or contract motor carrier.¹³

Hours of Service and Agricultural-Related Exemptions

In addition, with specified exceptions, *intrastate* CMV operators not transporting hazardous materials that require placarding¹⁴ may not drive:

- More than 12 hours following 10 consecutive hours off duty, or for any period after the end of the 16th hour after coming on duty following 10 consecutive hours off duty;¹⁵ or
- After having been on duty more than 70 hours in any period of seven consecutive days, or more than 80 hours in any period of eight consecutive days if the motor carrier operates every day of the week, with 34 consecutive hours off duty constituting the end of any such period of seven or eight consecutive days.¹⁶

The latter weekly limit does not apply to a person operating solely within the state while transporting during harvest periods any unprocessed agricultural products or unprocessed food or fiber that is subject to seasonal harvesting, from place of harvest to the first place of processing or storage or from place of harvest directly to market or while transporting livestock, livestock feed, or farm supplies directly related to growing or harvesting agricultural products.¹⁷

Further, a person who operates a CMV solely within the state is generally exempt from compliance with parts 382, 385, and 390 through 397 of Title 49 while transporting agricultural products from a farm or harvest place to the first place of processing or storage, or from a farm or harvest place directly to market.¹⁸ However, such person must comply with parts 382, 392,¹⁹ and 393,²⁰ and with ss. 396.3(a)(1)²¹ and 396.9 of Title 49.²²

Vehicle Registration and Agricultural-Related Exemptions

The provisions of Chapter 320, F.S., generally require every owner or person in charge of a motor vehicle to register the vehicle, pay license taxes, and display a license plate. However, exempt from these requirements are:

- Motor vehicles operated principally on a farm, grove, or orchard in agricultural or horticultural pursuits and which are operated on the roads of this state only incidentally in

¹³See also s. 322.53(3), F.S., which requires all drivers of for-hire CMVs to hold a valid CDL.

¹⁴The Code of Federal Regulations lists and classifies those materials which the U.S.D.O.T. has designated as hazardous materials for purposes of transportation. Any person who offers a hazardous material for transportation, and each carrier by air, highway, rail, or water who transports a hazardous material, is required to comply with requirements for shipping papers, package marking, labeling, and *transport vehicle placarding* applicable to the shipment and transportation of those hazardous materials. See 49 C.F.R. part 172.

¹⁵Section 316.302(2)(b), F.S.

¹⁶Section 316.302(2)(c), F.S.

¹⁷*Id.*

¹⁸Section 316.302(2)(e), F.S.

¹⁹Relating to matters such as driving CMVs at railroad crossings, emergency signals for stopped CMVs, fueling precautions, and prohibited practices.

²⁰Relating to parts and accessories necessary for safe operation.

²¹Relating to systematic inspection, repair, and maintenance requirements for motor carriers and intermodal equipment providers.

²²Containing additional requirements relating to inspection of motor vehicles and intermodal equipment in operation.

going from the owner's or operator's headquarters to such farm, grove, or orchard and returning therefrom or in going from one farm, grove, or orchard to another.

- Vehicles without motive power which are used principally for the purpose of transporting plows, harrows, fertilizer distributors, spray machines, and other farm or grove equipment and which uses the roads of this state only incidentally.²³

Maximum Width, Height, and Length Limitations/Implements of Husbandry and Farm Equipment, Agricultural Trailers, Forestry Equipment

Generally, the total outside width of any vehicle or the load thereon may not exceed 102 inches, exclusive of safety devices determined to be necessary for safe and efficient operation. A vehicle may generally not exceed a height of 13 feet, 6 inches, inclusive of the load carried. General vehicle length limitations vary depending on the type of vehicle; i.e., straight trucks, semitrailers, and tandem trailer trucks.²⁴

However, a person engaged in the production of peanuts, grains, soybeans, citrus, cotton, hay, straw, or other perishable farm products, or a custom hauler, is authorized to transport such products from their point of production to the first point of change of custody or of long-term storage, and for the purpose of returning to such point of production, or for the purpose of moving tractors, movers, and implements from one point of agricultural production to another, by means of the following vehicles, if such vehicles otherwise comply with the requirements of s. 316.515, F.S.:

- Straight trucks, agricultural tractors, citrus harvesting equipment, citrus fruit loaders, and cotton module movers, not exceeding 50 feet in length.
- Any combination of up to and including three implements of husbandry, including the towing power unit.
- Any single agricultural trailer with a load thereon.
- Any agricultural implements attached to a towing power unit.
- A self-propelled agricultural implement.
- An agricultural tractor.²⁵

In addition, a person engaged in the harvesting of forestry products is authorized to transport from one point of harvest to another point of harvest equipment not exceeding 136 inches in width if the equipment is:

- Used exclusively for harvesting forestry products.
- Not capable of exceeding 20 miles per hour.
- Not transported more than 10 miles between points of harvest.
- Operated during daylight hours only, and with specified safety requirements.²⁶

Further, the width and height limitations of s. 316.515, F.S., do not apply to farming or agricultural equipment, whether self-propelled, pulled, or hauled, when temporarily operated

²³ Section 320.51, F.S. This description of the exempt vehicles is virtually identical to the definition of "farm tractor" for purposes of driver licensing in Chapter 322, F.S.

²⁴ See s. 316.515, F.S.

²⁵ Section 316.515(5)(a), F.S.

²⁶ Section 316.515(5)(b), F.S.

during daylight hours on a non-limited access facility, which limitations may be exceeded by such equipment without a special permit if the equipment is operated within a 50-mile radius of the real property owned, rented, managed, harvested, or leased by the equipment owner.²⁷

MAP-21 Exemptions

The MAP-21 Act defined a new category of vehicles, “covered farm vehicles,” (CFVs) and authorized driver operation of such vehicles under certain circumstances. If the required provisions of the definition are met, and if the driver operates a CFV as specified, the CFV and the driver are exempt from federal regulations relating to controlled substances and alcohol use and testing; commercial driver licenses; physical qualifications and examinations; hours of service of drivers; and vehicle inspection, repair, and maintenance.²⁸ A “covered farm vehicle” is:

- A straight truck²⁹ or articulated vehicle³⁰ that is:
 - Registered in a state with a license plate or other designation issued by the *state of registration* that allows law enforcement officials to identify it as a farm vehicle.
 - Operated by the owner or operator of a farm or ranch, or an employee or family member of an owner or operator of a farm or ranch.
 - Used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch.
 - Not used in for-hire motor carrier operations, except that a tenant’s use of a vehicle pursuant to a crop share farm lease agreement to transport the landlord’s share of crops under that agreement is not treated as “for-hire motor carrier operations.”

Drivers of vehicles meeting the above definition and having a gross vehicle weight or gross vehicle weight rating, *whichever is greater*, of:

- 26,001 pounds or less may operate anywhere in the United States.
- More than 26,001 pounds may operate anywhere in the state of registration, or across state lines within 150 air miles of the farm or ranch with respect to which the vehicle is being operated.

Florida law does not currently authorize the new federal exemptions.

III. Effect of Proposed Changes:

The bill expressly authorizes in state law new federal exemptions for CFVs.

Section 1 creates subsection (94) of s. 316.003, F.S., to define “covered farm vehicle” virtually identical to the federal definition and with the same result.

²⁷ Section 316.515(5)(c), F.S.

²⁸ 49 C.F.R. Parts 382; 383; 391, subpart E; 395; and 396, respectively.

²⁹ Straight trucks include commonly recognized vehicles such as pick-up trucks, flat-bed trucks, box trucks, and the like. The truck’s power unit and cargo unit are located on the same vehicle frame. *See* also s. 316.003(70), F.S.

³⁰ Articulated vehicles, in contrast to straight trucks, include those having a power unit coupled to the cargo-carrying unit. *See* also s. 316.003(60) and (71), F.S.

Section 2 creates a new subsection (3) of s. 316.302 that exempts from specified federal regulations a driver of a CFV and a CFV, registered with a license plate or other designation issued by the state of registration when operating:

- Anywhere in this state if the CFV has a gross vehicle weight or gross vehicle weight rating, whichever is greater, of 26,001 pounds or less.
- Anywhere in the state of registration, or across state lines within 150 air miles of the farm or ranch with respect to which the vehicle is being operated, if the CFV has a gross vehicle weight or gross vehicle weight rating, whichever is greater, of more than 26,001 pounds.

The regulations from which a CFV driver and CFV are exempt are:

- Part 382, Controlled Substance and Alcohol Use and Testing.
- Part 383, Commercial Driver's License Standards.
- Part 391, Physical Qualifications and Examinations.
- Part 395, Hours of Service of Drivers.
- Part 396, Inspection, Repair, and Maintenance.

The bill, consistent with Federal Motor Carrier Safety Administration's final rule on the matter,³¹ does not allow the federal exemptions if the vehicle is transporting hazardous materials in amounts that require placarding.³²

In some cases, vehicles used for agricultural-related purposes may qualify for more than one exemption. For example, a vehicle meeting the CFV requirements and qualifying for the MAP-21 federal exemptions might also qualify for the exemption for a person operating a CMV solely within the state from compliance with parts 382, 385, and 390 through 397 of Title 49, while transporting agricultural products from farm or harvest place to the first place of processing or storage, or from farm or harvest place directly to market.³³ On the other hand, a person qualifying for the latter exemption would not be able to qualify for the federal exemptions if, for example, that person is not an owner or operator of a farm or ranch, or an employee or family member of such owner or operator.

This section of the bill also corrects a cross-reference necessitated by the changes in the bill.

Section 3 amends s. 322.53(2), F.S., to exempt the driver of a CFV as defined in s. 316.003, F.S., from the requirement to hold a valid CDL, if the CFV is operated in accordance with the s. 316.302(3), F.S.

Sections 4 and 5, respectively, amend ss. 316.3025(3)(e) and 316.3026(1), F.S., to correct cross-references necessitated by the changes in the bill.

Section 6 provides the bill takes effect July 1, 2016.

³¹ See the Federal Register, Vol. 78, No. 50, Thursday, March 14, 2013, at p. 16190. (On file in the Senate Transportation Committee.

³² *Supra* note 14.

³³ *Supra* note 18.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Those qualifying for the CFV exemptions may experience a positive fiscal impact due to relief from compliance with the specified federal regulations, including but not limited to the \$75 fee for a CDL.³⁴ Farmers and ranchers may realize a positive fiscal impact should the new exemptions facilitate more efficient operations, thereby reducing costs.

C. Government Sector Impact:

The Revenue Estimating Conference has not yet analyzed this bill. However, a negative fiscal impact resulting from the potential loss of CDL fees is likely.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 316.003, 316.302, 316.3025, 316.3026 and 322.53.

³⁴ See the DHSMV website, "Fees": <http://www.flhsmv.gov/fees/>. Last visited January 19, 2016.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on January 20, 2016:

The CS modifies the bill by:

- Deleting section 2 of the original bill to retain compliance with federal law.
- Creating a new subsection (3) of s. 316.302, F.S., to address CFVs, notwithstanding contrary provisions of subsections (1) and (2), to retain compliance with federal law.
- Revising language to conform to federal language relating to CFV operation.
- Correcting cross-references.

- B. **Amendments:**

None.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/28/16
Meeting Date

SB 1046
Bill Number (if applicable)

Topic Farm Vehicles

Amendment Barcode (if applicable)

Name Betch Calhoun

Job Title

Address 119 S. Monroe, Suite 300

Phone 521-0455

Tallahassee FL 32307

Email

City State Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Fruit & Vegetable Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/28/16

Meeting Date

1046

Bill Number (if applicable)

Topic Farm Vehicles

Amendment Barcode (if applicable)

Name Adam Gasford

Job Title Legislative Affairs Director

Address 315 S Calhoun St #850

Phone 222-2957

Street

Tallahassee

FL

32014

City

State

Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FL Farm Bureau

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By the Committee on Commerce and Tourism

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1 A bill to be entitled
2 An act relating to the federal Workforce Innovation
3 and Opportunity Act; amending ss. 20.60, 212.08,
4 220.183, 250.10, 288.047, 290.0056, 322.34, 341.052,
5 414.045, 414.065, 414.085, 414.095, 414.105, 414.106,
6 414.295, 420.623, 420.624, 427.013, 427.0155,
7 427.0157, 443.091, and 443.1116, F.S.; conforming
8 provisions to changes made by the act; amending s.
9 445.003, F.S.; providing implementation of the federal
10 Workforce Innovation and Opportunity Act through a 4-
11 year plan; revising the requirements of the plan;
12 deleting a provision authorizing an optional federal
13 partner to fulfill certain state planning and
14 reporting requirements; deleting a provision requiring
15 all optional federal program partners to participate
16 in the second year of the plan; providing for program
17 administration; deleting certain eligibility
18 requirements for businesses; deleting the authority of
19 CareerSource Florida, Inc., to negotiate and settle
20 certain issues with the United States Department of
21 Labor; requiring CareerSource Florida, Inc., to enter
22 into a memorandum with the Florida Department of
23 Education to ensure compliance with the state plan for
24 workforce development; conforming provisions to
25 changes made by the act; amending s. 445.004, F.S.;
26 specifying membership requirements for the
27 CareerSource Florida, Inc., board of directors;
28 revising the entities required to collaborate with
29 CareerSource Florida, Inc., to establish certain
30 performance accountability measures; revising
31 requirements for the performance accountability
32 measures; deleting references to outcome tiers for

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33 such measures; deleting a provision requiring certain
34 job placement reporting; conforming provisions to
35 changes made by the act; amending s. 445.006, F.S.;
36 providing for the development of a state plan to
37 include strategic and operational elements; deleting a
38 requirement that the strategic plan be updated or
39 modified each year; revising requirements for the
40 strategic and operational plans; conforming provisions
41 to changes made by the act; amending s. 445.007, F.S.;
42 revising local workforce development board membership
43 requirements; requiring CareerSource Florida, Inc., to
44 establish regional planning areas subject to certain
45 requirements by a certain date; requiring local
46 workforce development boards and selected officials to
47 prepare a regional workforce development plan;
48 conforming provisions to changes made by the act;
49 amending s. 445.0071, F.S.; conforming provisions to
50 changes made by the act; amending s. 445.009, F.S.;
51 requiring the local workforce development board to
52 enter into a memorandum of understanding with each
53 mandatory or optional partner detailing certain
54 contributions; providing that costs will be allocated
55 pursuant to a policy established by the Governor under
56 certain circumstances; specifying the systems that may
57 be accessed with the one-stop delivery system;
58 conforming provisions to changes made by the act;
59 amending ss. 445.014, 445.017, 445.021, 445.022,
60 445.024, 445.025, 445.026, 445.030, 445.031, 445.048,
61 445.051, 985.622, 1002.83, 1003.491, 1003.492,

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62 1003.493, 1003.4935, 1003.52, 1004.93, 1006.261, and
63 1009.25, F.S.; conforming provisions to changes made
64 by this act; providing an effective date.
65

66 Be It Enacted by the Legislature of the State of Florida:
67

68 Section 1. Paragraph (c) of subsection (5) of section
69 20.60, Florida Statutes, is amended to read:

70 20.60 Department of Economic Opportunity; creation; powers
71 and duties.—

72 (5) The divisions within the department have specific
73 responsibilities to achieve the duties, responsibilities, and
74 goals of the department. Specifically:

75 (c) The Division of Workforce Services shall:

76 1. Prepare and submit a unified budget request for
77 workforce development in accordance with chapter 216 for, and in
78 conjunction with, CareerSource Florida, Inc., and its board.

79 2. Ensure that the state appropriately administers federal
80 and state workforce funding by administering plans and policies
81 of CareerSource Florida, Inc., under contract with CareerSource
82 Florida, Inc. The operating budget and midyear amendments
83 thereto must be part of such contract.

84 a. All program and fiscal instructions to local ~~regional~~
85 workforce development boards shall emanate from the Department
86 of Economic Opportunity pursuant to plans and policies of
87 CareerSource Florida, Inc., which shall be responsible for all
88 policy directions to the local ~~regional~~ workforce development
89 boards.

90 b. Unless otherwise provided by agreement with CareerSource

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91 Florida, Inc., administrative and personnel policies of the
92 Department of Economic Opportunity apply.

93 3. Implement the state's reemployment assistance program.
94 The Department of Economic Opportunity shall ensure that the
95 state appropriately administers the reemployment assistance
96 program pursuant to state and federal law.

97 4. Assist in developing the 5-year statewide strategic plan
98 required by this section.

99 Section 2. Paragraph (p) of subsection (5) of section
100 212.08, Florida Statutes, is amended to read:

101 212.08 Sales, rental, use, consumption, distribution, and
102 storage tax; specified exemptions.—The sale at retail, the
103 rental, the use, the consumption, the distribution, and the
104 storage to be used or consumed in this state of the following
105 are hereby specifically exempt from the tax imposed by this
106 chapter.

107 (5) EXEMPTIONS; ACCOUNT OF USE.—

108 (p) *Community contribution tax credit for donations.*—

109 1. Authorization.—Persons who are registered with the
110 department under s. 212.18 to collect or remit sales or use tax
111 and who make donations to eligible sponsors are eligible for tax
112 credits against their state sales and use tax liabilities as
113 provided in this paragraph:

114 a. The credit shall be computed as 50 percent of the
115 person's approved annual community contribution.

116 b. The credit shall be granted as a refund against state
117 sales and use taxes reported on returns and remitted in the 12
118 months preceding the date of application to the department for
119 the credit as required in sub-subparagraph 3.c. If the annual

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120 credit is not fully used through such refund because of
121 insufficient tax payments during the applicable 12-month period,
122 the unused amount may be included in an application for a refund
123 made pursuant to sub-subparagraph 3.c. in subsequent years
124 against the total tax payments made for such year. Carryover
125 credits may be applied for a 3-year period without regard to any
126 time limitation that would otherwise apply under s. 215.26.

127 c. A person may not receive more than \$200,000 in annual
128 tax credits for all approved community contributions made in any
129 one year.

130 d. All proposals for the granting of the tax credit require
131 the prior approval of the Department of Economic Opportunity.

132 e. The total amount of tax credits which may be granted for
133 all programs approved under this paragraph, s. 220.183, and s.
134 624.5105 is \$18.4 million in the 2015-2016 fiscal year, \$21.4
135 million in the 2016-2017 fiscal year, and \$21.4 million in the
136 2017-2018 fiscal year for projects that provide housing
137 opportunities for persons with special needs or homeownership
138 opportunities for low-income households or very-low-income
139 households and \$3.5 million annually for all other projects. As
140 used in this paragraph, the term "person with special needs" has
141 the same meaning as in s. 420.0004 and the terms "low-income
142 person," "low-income household," "very-low-income person," and
143 "very-low-income household" have the same meanings as in s.
144 420.9071.

145 f. A person who is eligible to receive the credit provided
146 in this paragraph, s. 220.183, or s. 624.5105 may receive the
147 credit only under one section of the person's choice.

148 2. Eligibility requirements.-

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149 a. A community contribution by a person must be in the
150 following form:

151 (I) Cash or other liquid assets;

152 (II) Real property;

153 (III) Goods or inventory; or

154 (IV) Other physical resources identified by the Department
155 of Economic Opportunity.

156 b. All community contributions must be reserved exclusively
157 for use in a project. As used in this sub-subparagraph, the term
158 "project" means activity undertaken by an eligible sponsor which
159 is designed to construct, improve, or substantially rehabilitate
160 housing that is affordable to low-income households or very-low-
161 income households; designed to provide housing opportunities for
162 persons with special needs; designed to provide commercial,
163 industrial, or public resources and facilities; or designed to
164 improve entrepreneurial and job-development opportunities for
165 low-income persons. A project may be the investment necessary to
166 increase access to high-speed broadband capability in a rural
167 community that had an enterprise zone designated pursuant to
168 chapter 290 as of May 1, 2015, including projects that result in
169 improvements to communications assets that are owned by a
170 business. A project may include the provision of museum
171 educational programs and materials that are directly related to
172 a project approved between January 1, 1996, and December 31,
173 1999, and located in an area which was in an enterprise zone
174 designated pursuant to s. 290.0065 as of May 1, 2015. This
175 paragraph does not preclude projects that propose to construct
176 or rehabilitate housing for low-income households or very-low-
177 income households on scattered sites or housing opportunities

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178 for persons with special needs. With respect to housing,
179 contributions may be used to pay the following eligible special
180 needs, low-income, and very-low-income housing-related
181 activities:

182 (I) Project development impact and management fees for
183 special needs, low-income, or very-low-income housing projects;

184 (II) Down payment and closing costs for persons with
185 special needs, low-income persons, and very-low-income persons;

186 (III) Administrative costs, including housing counseling
187 and marketing fees, not to exceed 10 percent of the community
188 contribution, directly related to special needs, low-income, or
189 very-low-income projects; and

190 (IV) Removal of liens recorded against residential property
191 by municipal, county, or special district local governments if
192 satisfaction of the lien is a necessary precedent to the
193 transfer of the property to a low-income person or very-low-
194 income person for the purpose of promoting home ownership.
195 Contributions for lien removal must be received from a
196 nonrelated third party.

197 c. The project must be undertaken by an "eligible sponsor,"
198 which includes:

199 (I) A community action program;

200 (II) A nonprofit community-based development organization
201 whose mission is the provision of housing for persons with
202 special needs, low-income households, or very-low-income
203 households or increasing entrepreneurial and job-development
204 opportunities for low-income persons;

205 (III) A neighborhood housing services corporation;

206 (IV) A local housing authority created under chapter 421;

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- 207 (V) A community redevelopment agency created under s.
208 163.356;
- 209 (VI) A historic preservation district agency or
210 organization;
- 211 (VII) A local ~~regional~~ workforce development board;
- 212 (VIII) A direct-support organization as provided in s.
213 1009.983;
- 214 (IX) An enterprise zone development agency created under s.
215 290.0056;
- 216 (X) A community-based organization incorporated under
217 chapter 617 which is recognized as educational, charitable, or
218 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
219 and whose bylaws and articles of incorporation include
220 affordable housing, economic development, or community
221 development as the primary mission of the corporation;
- 222 (XI) Units of local government;
- 223 (XII) Units of state government; or
- 224 (XIII) Any other agency that the Department of Economic
225 Opportunity designates by rule.

226
227 A contributing person may not have a financial interest in the
228 eligible sponsor.

229 d. The project must be located in an area which was in an
230 enterprise zone designated pursuant to chapter 290 as of May 1,
231 2015, or a Front Porch Florida Community, unless the project
232 increases access to high-speed broadband capability in a rural
233 community that had an enterprise zone designated pursuant to
234 chapter 290 as of May 1, 2015, but is physically located outside
235 the designated rural zone boundaries. Any project designed to

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236 construct or rehabilitate housing for low-income households or
237 very-low-income households or housing opportunities for persons
238 with special needs is exempt from the area requirement of this
239 sub-subparagraph.

240 e.(I) If, during the first 10 business days of the state
241 fiscal year, eligible tax credit applications for projects that
242 provide housing opportunities for persons with special needs or
243 homeownership opportunities for low-income households or very-
244 low-income households are received for less than the annual tax
245 credits available for those projects, the Department of Economic
246 Opportunity shall grant tax credits for those applications and
247 grant remaining tax credits on a first-come, first-served basis
248 for subsequent eligible applications received before the end of
249 the state fiscal year. If, during the first 10 business days of
250 the state fiscal year, eligible tax credit applications for
251 projects that provide housing opportunities for persons with
252 special needs or homeownership opportunities for low-income
253 households or very-low-income households are received for more
254 than the annual tax credits available for those projects, the
255 Department of Economic Opportunity shall grant the tax credits
256 for those applications as follows:

257 (A) If tax credit applications submitted for approved
258 projects of an eligible sponsor do not exceed \$200,000 in total,
259 the credits shall be granted in full if the tax credit
260 applications are approved.

261 (B) If tax credit applications submitted for approved
262 projects of an eligible sponsor exceed \$200,000 in total, the
263 amount of tax credits granted pursuant to sub-sub-sub-
264 subparagraph (A) shall be subtracted from the amount of

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265 available tax credits, and the remaining credits shall be
266 granted to each approved tax credit application on a pro rata
267 basis.

268 (II) If, during the first 10 business days of the state
269 fiscal year, eligible tax credit applications for projects other
270 than those that provide housing opportunities for persons with
271 special needs or homeownership opportunities for low-income
272 households or very-low-income households are received for less
273 than the annual tax credits available for those projects, the
274 Department of Economic Opportunity shall grant tax credits for
275 those applications and shall grant remaining tax credits on a
276 first-come, first-served basis for subsequent eligible
277 applications received before the end of the state fiscal year.
278 If, during the first 10 business days of the state fiscal year,
279 eligible tax credit applications for projects other than those
280 that provide housing opportunities for persons with special
281 needs or homeownership opportunities for low-income households
282 or very-low-income households are received for more than the
283 annual tax credits available for those projects, the Department
284 of Economic Opportunity shall grant the tax credits for those
285 applications on a pro rata basis.

286 3. Application requirements.—

287 a. An eligible sponsor seeking to participate in this
288 program must submit a proposal to the Department of Economic
289 Opportunity which sets forth the name of the sponsor, a
290 description of the project, and the area in which the project is
291 located, together with such supporting information as is
292 prescribed by rule. The proposal must also contain a resolution
293 from the local governmental unit in which the project is located

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294 certifying that the project is consistent with local plans and
295 regulations.

296 b. A person seeking to participate in this program must
297 submit an application for tax credit to the Department of
298 Economic Opportunity which sets forth the name of the sponsor, a
299 description of the project, and the type, value, and purpose of
300 the contribution. The sponsor shall verify, in writing, the
301 terms of the application and indicate its receipt of the
302 contribution, and such verification must accompany the
303 application for tax credit. The person must submit a separate
304 tax credit application to the Department of Economic Opportunity
305 for each individual contribution that it makes to each
306 individual project.

307 c. A person who has received notification from the
308 Department of Economic Opportunity that a tax credit has been
309 approved must apply to the department to receive the refund.
310 Application must be made on the form prescribed for claiming
311 refunds of sales and use taxes and be accompanied by a copy of
312 the notification. A person may submit only one application for
313 refund to the department within a 12-month period.

314 4. Administration.—

315 a. The Department of Economic Opportunity may adopt rules
316 necessary to administer this paragraph, including rules for the
317 approval or disapproval of proposals by a person.

318 b. The decision of the Department of Economic Opportunity
319 must be in writing, and, if approved, the notification shall
320 state the maximum credit allowable to the person. Upon approval,
321 the Department of Economic Opportunity shall transmit a copy of
322 the decision to the department.

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323 c. The Department of Economic Opportunity shall
324 periodically monitor all projects in a manner consistent with
325 available resources to ensure that resources are used in
326 accordance with this paragraph; however, each project must be
327 reviewed at least once every 2 years.

328 d. The Department of Economic Opportunity shall, in
329 consultation with the statewide and regional housing and
330 financial intermediaries, market the availability of the
331 community contribution tax credit program to community-based
332 organizations.

333 5. Expiration.—This paragraph expires June 30, 2018;
334 however, any accrued credit carryover that is unused on that
335 date may be used until the expiration of the 3-year carryover
336 period for such credit.

337 Section 3. Paragraph (c) of subsection (2) of section
338 220.183, Florida Statutes, is amended to read:

339 220.183 Community contribution tax credit.—

340 (2) ELIGIBILITY REQUIREMENTS.—

341 (c) The project must be undertaken by an “eligible
342 sponsor,” defined here as:

343 1. A community action program;

344 2. A nonprofit community-based development organization
345 whose mission is the provision of housing for persons with
346 special needs or low-income or very-low-income households or
347 increasing entrepreneurial and job-development opportunities for
348 low-income persons;

349 3. A neighborhood housing services corporation;

350 4. A local housing authority, created pursuant to chapter
351 421;

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352 5. A community redevelopment agency, created pursuant to s.
353 163.356;

354 6. A historic preservation district agency or organization;

355 7. A local ~~regional~~ workforce development board;

356 8. A direct-support organization as provided in s.
357 1009.983;

358 9. An enterprise zone development agency created pursuant
359 to s. 290.0056;

360 10. A community-based organization incorporated under
361 chapter 617 which is recognized as educational, charitable, or
362 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
363 and whose bylaws and articles of incorporation include
364 affordable housing, economic development, or community
365 development as the primary mission of the corporation;

366 11. Units of local government;

367 12. Units of state government; or

368 13. Such other agency as the Department of Economic
369 Opportunity may, from time to time, designate by rule.

370
371 In no event shall a contributing business firm have a financial
372 interest in the eligible sponsor.

373 Section 4. Paragraph (1) of subsection (2) of section
374 250.10, Florida Statutes, is amended to read:

375 250.10 Appointment and duties of the Adjutant General.—

376 (2) The Adjutant General shall:

377 (1) Subject to annual appropriations, administer youth
378 About Face programs and adult Forward March programs at sites to
379 be selected by the Adjutant General. Both programs must provide
380 schoolwork assistance, focusing on the skills needed to master

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381 basic high school competencies and functional life skills,
382 including teaching students to work effectively in groups;
383 providing basic instruction in computer skills; teaching basic
384 problem-solving, decisionmaking, and reasoning skills; teaching
385 how the business world and free enterprise work through computer
386 simulations; and teaching home finance and budgeting and other
387 daily living skills.

388 1. About Face is a summer and year-round after-school life-
389 preparation program for economically disadvantaged and at-risk
390 youths from 13 through 17 years of age. The program must provide
391 training in academic study skills, and the basic skills that
392 businesses require for employment consideration.

393 2. Forward March is a job-readiness program for
394 economically disadvantaged participants who are directed to
395 Forward March by the local ~~regional~~ workforce development
396 boards. The Forward March program shall provide training on
397 topics that directly relate to the skills required for real-
398 world success. The program shall emphasize functional life
399 skills, computer literacy, interpersonal relationships,
400 critical-thinking skills, business skills, preemployment and
401 work maturity skills, job-search skills, exploring careers
402 activities, how to be a successful and effective employee, and
403 some job-specific skills. The program also shall provide
404 extensive opportunities for participants to practice generic job
405 skills in a supervised work setting. Upon completion of the
406 program, Forward March shall return participants to the local
407 ~~regional~~ workforce development boards for placement in a job
408 placement pool.

409 Section 5. Subsection (8) of section 288.047, Florida

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410 Statutes, is amended to read:

411 288.047 Quick-response training for economic development.—

412 (8) The Quick-Response Training Program is created to
413 provide assistance to participants in the welfare transition
414 program. CareerSource Florida, Inc., may award quick-response
415 training grants and develop applicable guidelines for the
416 training of participants in the welfare transition program. In
417 addition to a local economic development organization, grants
418 must be endorsed by the applicable local ~~regional~~ workforce
419 development board.

420 (a) Training funded pursuant to this subsection may not
421 exceed 12 months, and may be provided by the local community
422 college, school district, local ~~regional~~ workforce development
423 board, or the business employing the participant, including on-
424 the-job training. Training will provide entry-level skills to
425 new workers, including those employed in retail, who are
426 participants in the welfare transition program.

427 (b) Participants trained pursuant to this subsection must
428 be employed at a job paying at least \$6 per hour.

429 (c) Funds made available pursuant to this subsection may be
430 expended in connection with the relocation of a business from
431 one community to another if approved by CareerSource Florida,
432 Inc.

433 Section 6. Subsection (2) of section 290.0056, Florida
434 Statutes, is amended to read:

435 290.0056 Enterprise zone development agency.—

436 (2) When the governing body creates an enterprise zone
437 development agency, that body shall appoint a board of
438 commissioners of the agency, which shall consist of not fewer

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439 than 8 or more than 13 commissioners. The governing body may
440 appoint at least one representative from each of the following:
441 the local chamber of commerce; local financial or insurance
442 entities; local businesses and, where possible, businesses
443 operating within the nominated area; the residents residing
444 within the nominated area; nonprofit community-based
445 organizations operating within the nominated area; the local
446 ~~regional~~ workforce development board; the local code enforcement
447 agency; and the local law enforcement agency. The terms of
448 office of the commissioners shall be for 4 years, except that,
449 in making the initial appointments, the governing body shall
450 appoint two members for terms of 3 years, two members for terms
451 of 2 years, and one member for a term of 1 year; the remaining
452 initial members shall serve for terms of 4 years. A vacancy
453 occurring during a term shall be filled for the unexpired term.
454 The importance of including individuals from the nominated area
455 shall be considered in making appointments. Further, the
456 importance of minority representation on the agency shall be
457 considered in making appointments so that the agency generally
458 reflects the gender and ethnic composition of the community as a
459 whole.

460 Section 7. Paragraph (c) of subsection (9) of section
461 322.34, Florida Statutes, is amended to read:

462 322.34 Driving while license suspended, revoked, canceled,
463 or disqualified.—

464 (9)

465 (c) Notwithstanding s. 932.703(1)(c) or s. 932.7055, when
466 the seizing agency obtains a final judgment granting forfeiture
467 of the motor vehicle under this section, 30 percent of the net

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468 proceeds from the sale of the motor vehicle shall be retained by
469 the seizing law enforcement agency and 70 percent shall be
470 deposited in the General Revenue Fund for use by local ~~regional~~
471 workforce development boards in providing transportation
472 services for participants of the welfare transition program. In
473 a forfeiture proceeding under this section, the court may
474 consider the extent that the family of the owner has other
475 public or private means of transportation.

476 Section 8. Subsection (1) of section 341.052, Florida
477 Statutes, is amended to read:

478 341.052 Public transit block grant program; administration;
479 eligible projects; limitation.—

480 (1) There is created a public transit block grant program
481 which shall be administered by the department. Block grant funds
482 shall only be provided to "Section 9" providers and "Section 18"
483 providers designated by the United States Department of
484 Transportation and community transportation coordinators as
485 defined in chapter 427. Eligible providers must establish public
486 transportation development plans consistent, to the maximum
487 extent feasible, with approved local government comprehensive
488 plans of the units of local government in which the provider is
489 located. In developing public transportation development plans,
490 eligible providers must solicit comments from local ~~regional~~
491 workforce development boards established under chapter 445. The
492 development plans must address how the public transit provider
493 will work with the appropriate local ~~regional~~ workforce
494 development board to provide services to participants in the
495 welfare transition program. Eligible providers must provide
496 information to the local ~~regional~~ workforce development board

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497 serving the county in which the provider is located regarding
498 the availability of transportation services to assist program
499 participants.

500 Section 9. Subsection (2) of section 414.045, Florida
501 Statutes, is amended to read:

502 414.045 Cash assistance program.—Cash assistance families
503 include any families receiving cash assistance payments from the
504 state program for temporary assistance for needy families as
505 defined in federal law, whether such funds are from federal
506 funds, state funds, or commingled federal and state funds. Cash
507 assistance families may also include families receiving cash
508 assistance through a program defined as a separate state
509 program.

510 (2) Oversight by the board of directors of CareerSource
511 Florida, Inc., and the service delivery and financial planning
512 responsibilities of the local ~~regional~~ workforce development
513 boards apply to the families defined as work-eligible cases in
514 paragraph (1)(a). The department shall be responsible for
515 program administration related to families in groups defined in
516 paragraph (1)(b), and the department shall coordinate such
517 administration with the board of directors of CareerSource
518 Florida, Inc., to the extent needed for operation of the
519 program.

520 Section 10. Paragraphs (a), (d), and (e) of subsection (4)
521 of section 414.065, Florida Statutes, are amended to read:

522 414.065 Noncompliance with work requirements.—

523 (4) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.—Unless otherwise
524 provided, the situations listed in this subsection shall
525 constitute exceptions to the penalties for noncompliance with

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526 participation requirements, except that these situations do not
527 constitute exceptions to the applicable time limit for receipt
528 of temporary cash assistance:

529 (a) *Noncompliance related to child care.*—Temporary cash
530 assistance may not be terminated for refusal to participate in
531 work activities if the individual is a single parent caring for
532 a child who has not attained 6 years of age, and the adult
533 proves to the local ~~regional~~ workforce development board an
534 inability to obtain needed child care for one or more of the
535 following reasons, as defined in the Child Care and Development
536 Fund State Plan required by 45 C.F.R. part 98:

537 1. Unavailability of appropriate child care within a
538 reasonable distance from the individual's home or worksite.

539 2. Unavailability or unsuitability of informal child care
540 by a relative or under other arrangements.

541 3. Unavailability of appropriate and affordable formal
542 child care arrangements.

543 (d) *Noncompliance related to medical incapacity.*—If an
544 individual cannot participate in assigned work activities due to
545 a medical incapacity, the individual may be excepted from the
546 activity for a specific period, except that the individual shall
547 be required to comply with the course of treatment necessary for
548 the individual to resume participation. A participant may not be
549 excused from work activity requirements unless the participant's
550 medical incapacity is verified by a physician licensed under
551 chapter 458 or chapter 459, in accordance with procedures
552 established by rule of the department. An individual for whom
553 there is medical verification of limitation to participate in
554 work activities shall be assigned to work activities consistent

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555 with such limitations. Evaluation of an individual's ability to
556 participate in work activities or development of a plan for work
557 activity assignment may include vocational assessment or work
558 evaluation. The department or a local ~~regional~~ workforce
559 development board may require an individual to cooperate in
560 medical or vocational assessment necessary to evaluate the
561 individual's ability to participate in a work activity.

562 (e) *Noncompliance related to outpatient mental health or*
563 *substance abuse treatment.*—If an individual cannot participate
564 in the required hours of work activity due to a need to become
565 or remain involved in outpatient mental health or substance
566 abuse counseling or treatment, the individual may be exempted
567 from the work activity for up to 5 hours per week, not to exceed
568 100 hours per year. An individual may not be excused from a work
569 activity unless a mental health or substance abuse professional
570 recognized by the department or local ~~regional~~ workforce
571 development board certifies the treatment protocol and provides
572 verification of attendance at the counseling or treatment
573 sessions each week.

574 Section 11. Paragraph (d) of subsection (1) of section
575 414.085, Florida Statutes, is amended to read:

576 414.085 Income eligibility standards.—

577 (1) For purposes of program simplification and effective
578 program management, certain income definitions, as outlined in
579 the food assistance regulations at 7 C.F.R. s. 273.9, shall be
580 applied to the temporary cash assistance program as determined
581 by the department to be consistent with federal law regarding
582 temporary cash assistance and Medicaid for needy families,
583 except as to the following:

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584 (d) An incentive payment to a participant authorized by a
585 local ~~regional~~ workforce development board may ~~shall~~ not be
586 considered income.

587 Section 12. Subsection (1) of section 414.095, Florida
588 Statutes, is amended to read:

589 414.095 Determining eligibility for temporary cash
590 assistance.—

591 (1) ELIGIBILITY.—An applicant must meet eligibility
592 requirements of this section before receiving services or
593 temporary cash assistance under this chapter, except that an
594 applicant shall be required to register for work and engage in
595 work activities in accordance with s. 445.024, as designated by
596 the local ~~regional~~ workforce development board, and may receive
597 support services or child care assistance in conjunction with
598 such requirement. The department shall make a determination of
599 eligibility based on the criteria listed in this chapter. The
600 department shall monitor continued eligibility for temporary
601 cash assistance through periodic reviews consistent with the
602 food assistance eligibility process. Benefits may ~~shall~~ not be
603 denied to an individual solely based on a felony drug
604 conviction, unless the conviction is for trafficking pursuant to
605 s. 893.135. To be eligible under this section, an individual
606 convicted of a drug felony must be satisfactorily meeting the
607 requirements of the temporary cash assistance program, including
608 all substance abuse treatment requirements. Within the limits
609 specified in this chapter, the state opts out of the provision
610 of Pub. L. No. 104-193, s. 115, that eliminates eligibility for
611 temporary cash assistance and food assistance for any individual
612 convicted of a controlled substance felony.

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613 Section 13. Subsections (3) and (10) of section 414.105,
614 Florida Statutes, are amended to read:

615 414.105 Time limitations of temporary cash assistance.—
616 Except as otherwise provided in this section, an applicant or
617 current participant shall receive temporary cash assistance for
618 no more than a lifetime cumulative total of 48 months, unless
619 otherwise provided by law.

620 (3) The department, in cooperation with CareerSource
621 Florida, Inc., shall establish a procedure for approving
622 hardship exemptions and for reviewing hardship cases at least
623 once every 2 years. Local ~~Regional~~ workforce development boards
624 may assist in making these determinations.

625 (10) A member of the staff of the local ~~regional~~ workforce
626 development board shall interview and assess the employment
627 prospects and barriers of each participant who is within 6
628 months of reaching the 48-month time limit. The staff member
629 shall assist the participant in identifying actions necessary to
630 become employed before ~~prior to~~ reaching the benefit time limit
631 for temporary cash assistance and, if appropriate, shall refer
632 the participant for services that could facilitate employment.

633 Section 14. Section 414.106, Florida Statutes, is amended
634 to read:

635 414.106 Exemption from public meetings law.—That portion of
636 a meeting held by the department, CareerSource Florida, Inc., or
637 a local ~~regional~~ workforce development board or local committee
638 created pursuant to s. 445.007 at which personal identifying
639 information contained in records relating to temporary cash
640 assistance is discussed is exempt from s. 286.011 and s. 24(b),
641 Art. I of the State Constitution if the information identifies a

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642 participant, a participant's family, or a participant's family
643 or household member.

644 Section 15. Subsection (1) of section 414.295, Florida
645 Statutes, is amended to read:

646 414.295 Temporary cash assistance programs; public records
647 exemption.—

648 (1) Personal identifying information of a temporary cash
649 assistance program participant, a participant's family, or a
650 participant's family or household member, except for information
651 identifying a parent who does not live in the same home as the
652 child, which is held by the department, the Office of Early
653 Learning, CareerSource Florida, Inc., the Department of Health,
654 the Department of Revenue, the Department of Education, or a
655 local ~~regional~~ workforce development board or local committee
656 created pursuant to s. 445.007 is confidential and exempt from
657 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
658 Such confidential and exempt information may be released for
659 purposes directly connected with:

660 (a) The administration of the temporary assistance for
661 needy families plan under Title IV-A of the Social Security Act,
662 as amended, by the department, the Office of Early Learning,
663 CareerSource Florida, Inc., the Department of Military Affairs,
664 the Department of Health, the Department of Revenue, the
665 Department of Education, a local ~~regional~~ workforce development
666 board or local committee created pursuant to s. 445.007, or a
667 school district.

668 (b) The administration of the state's plan or program
669 approved under Title IV-B, Title IV-D, or Title IV-E of the
670 Social Security Act, as amended, or under Title I, Title X,

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671 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
672 Social Security Act, as amended.

673 (c) An investigation, prosecution, or criminal, civil, or
674 administrative proceeding conducted in connection with the
675 administration of any of the plans or programs specified in
676 paragraph (a) or paragraph (b) by a federal, state, or local
677 governmental entity, upon request by that entity, if such
678 request is made pursuant to the proper exercise of that entity's
679 duties and responsibilities.

680 (d) The administration of any other state, federal, or
681 federally assisted program that provides assistance or services
682 on the basis of need, in cash or in kind, directly to a
683 participant.

684 (e) An audit or similar activity, such as a review of
685 expenditure reports or financial review, conducted in connection
686 with the administration of plans or programs specified in
687 paragraph (a) or paragraph (b) by a governmental entity
688 authorized by law to conduct such audit or activity.

689 (f) The administration of the reemployment assistance
690 program.

691 (g) The reporting to the appropriate agency or official of
692 information about known or suspected instances of physical or
693 mental injury, sexual abuse or exploitation, or negligent
694 treatment or maltreatment of a child or elderly person receiving
695 assistance, if circumstances indicate that the health or welfare
696 of the child or elderly person is threatened.

697 (h) The administration of services to elderly persons under
698 ss. 430.601-430.606.

699 Section 16. Paragraph (e) of subsection (1) of section

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700 420.623, Florida Statutes, is amended to read:

701 420.623 Local coalitions for the homeless.—

702 (1) ESTABLISHMENT.—The department shall establish local
703 coalitions to plan, network, coordinate, and monitor the
704 delivery of services to the homeless. Appropriate local groups
705 and organizations involved in providing services for the
706 homeless and interested business groups and associations shall
707 be given an opportunity to participate in such coalitions,
708 including, but not limited to:

709 (e) Local ~~Regional~~ workforce development boards.

710 Section 17. Subsection (8) of section 420.624, Florida
711 Statutes, is amended to read:

712 420.624 Local homeless assistance continuum of care.—

713 (8) Continuum of care plans must promote participation by
714 all interested individuals and organizations and may not exclude
715 individuals and organizations on the basis of race, color,
716 national origin, sex, handicap, familial status, or religion.
717 Faith-based organizations must be encouraged to participate. To
718 the extent possible, these components should be coordinated and
719 integrated with other mainstream health, social services, and
720 employment programs for which homeless populations may be
721 eligible, including Medicaid, State Children's Health Insurance
722 Program, Temporary Assistance for Needy Families, Food
723 Assistance Program, and services funded through the Mental
724 Health and Substance Abuse Block Grant, the Workforce Innovation
725 and Opportunity ~~Investment~~ Act, and the welfare-to-work grant
726 program.

727 Section 18. Subsection (27) of section 427.013, Florida
728 Statutes, is amended to read:

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729 427.013 The Commission for the Transportation
730 Disadvantaged; purpose and responsibilities.—The purpose of the
731 commission is to accomplish the coordination of transportation
732 services provided to the transportation disadvantaged. The goal
733 of this coordination is to assure the cost-effective provision
734 of transportation by qualified community transportation
735 coordinators or transportation operators for the transportation
736 disadvantaged without any bias or presumption in favor of
737 multioperator systems or not-for-profit transportation operators
738 over single operator systems or for-profit transportation
739 operators. In carrying out this purpose, the commission shall:

740 (27) Ensure that local community transportation
741 coordinators work cooperatively with local ~~regional~~ workforce
742 development boards established in chapter 445 to provide
743 assistance in the development of innovative transportation
744 services for participants in the welfare transition program.

745 Section 19. Subsection (9) of section 427.0155, Florida
746 Statutes, is amended to read:

747 427.0155 Community transportation coordinators; powers and
748 duties.—Community transportation coordinators shall have the
749 following powers and duties:

750 (9) Work cooperatively with local ~~regional~~ workforce
751 development boards established in chapter 445 to provide
752 assistance in the development of innovative transportation
753 services for participants in the welfare transition program.

754 Section 20. Subsection (7) of section 427.0157, Florida
755 Statutes, is amended to read:

756 427.0157 Coordinating boards; powers and duties.—The
757 purpose of each coordinating board is to develop local service

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758 needs and to provide information, advice, and direction to the
759 community transportation coordinators on the coordination of
760 services to be provided to the transportation disadvantaged. The
761 commission shall, by rule, establish the membership of
762 coordinating boards. The members of each board shall be
763 appointed by the metropolitan planning organization or
764 designated official planning agency. The appointing authority
765 shall provide each board with sufficient staff support and
766 resources to enable the board to fulfill its responsibilities
767 under this section. Each board shall meet at least quarterly and
768 shall:

769 (7) Work cooperatively with local ~~regional~~ workforce
770 development boards established in chapter 445 to provide
771 assistance in the development of innovative transportation
772 services for participants in the welfare transition program.

773 Section 21. Paragraphs (b) and (c) of subsection (1) of
774 section 443.091, Florida Statutes, are amended to read:

775 443.091 Benefit eligibility conditions.—

776 (1) An unemployed individual is eligible to receive
777 benefits for any week only if the Department of Economic
778 Opportunity finds that:

779 (b) She or he has completed the department's online work
780 registration and subsequently reports to the one-stop career
781 center as directed by the local ~~regional~~ workforce development
782 board for reemployment services. This requirement does not apply
783 to persons who are:

- 784 1. Non-Florida residents;
- 785 2. On a temporary layoff;
- 786 3. Union members who customarily obtain employment through

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787 a union hiring hall;

788 4. Claiming benefits under an approved short-time
789 compensation plan as provided in s. 443.1116; or

790 5. Unable to complete the online work registration due to
791 illiteracy, physical or mental impairment, a legal prohibition
792 from using a computer, or a language impediment. If a person is
793 exempted from the online work registration under this
794 subparagraph, then the filing of his or her claim constitutes
795 registration for work.

796 (c) To make continued claims for benefits, she or he is
797 reporting to the department in accordance with this paragraph
798 and department rules. Department rules may not conflict with s.
799 443.111(1)(b), which requires that each claimant continue to
800 report regardless of any pending appeal relating to her or his
801 eligibility or disqualification for benefits.

802 1. For each week of unemployment claimed, each report must,
803 at a minimum, include the name, address, and telephone number of
804 each prospective employer contacted, or the date the claimant
805 reported to a one-stop career center, pursuant to paragraph (d).

806 2. The department shall offer an online assessment aimed at
807 identifying an individual's skills, abilities, and career
808 aptitude. The skills assessment must be voluntary, and the
809 department shall allow a claimant to choose whether to take the
810 skills assessment. The online assessment shall be made available
811 to any person seeking services from a local ~~regional~~ workforce
812 development board or a one-stop career center.

813 a. If the claimant chooses to take the online assessment,
814 the outcome of the assessment shall be made available to the
815 claimant, local ~~regional~~ workforce development board, and one-

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816 stop career center. The department, local workforce development
817 board, or one-stop career center shall use the assessment to
818 develop a plan for referring individuals to training and
819 employment opportunities. Aggregate data on assessment outcomes
820 may be made available to CareerSource Florida, Inc., and
821 Enterprise Florida, Inc., for use in the development of policies
822 related to education and training programs that will ensure that
823 businesses in this state have access to a skilled and competent
824 workforce.

825 b. Individuals shall be informed of and offered services
826 through the one-stop delivery system, including career
827 counseling, the provision of skill match and job market
828 information, and skills upgrade and other training
829 opportunities, and shall be encouraged to participate in such
830 services at no cost to the individuals. The department shall
831 coordinate with CareerSource Florida, Inc., the local workforce
832 development boards, and the one-stop career centers to identify,
833 develop, and use best practices for improving the skills of
834 individuals who choose to participate in skills upgrade and
835 other training opportunities. The department may contract with
836 an entity to create the online assessment in accordance with the
837 competitive bidding requirements in s. 287.057. The online
838 assessment must work seamlessly with the Reemployment Assistance
839 Claims and Benefits Information System.

840 Section 22. Paragraph (c) of subsection (5) of section
841 443.1116, Florida Statutes, is amended to read:

842 443.1116 Short-time compensation.—

843 (5) ELIGIBILITY REQUIREMENTS FOR SHORT-TIME COMPENSATION
844 BENEFITS.—

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845 (c) The department may not deny short-time compensation
846 benefits to an individual who is otherwise eligible for these
847 benefits for any week because such individual is participating
848 in an employer-sponsored training or a training under the
849 Workforce Innovation and Opportunity Investment Act to improve
850 job skills when the training is approved by the department.

851 Section 23. Section 445.003, Florida Statutes, is amended
852 to read:

853 445.003 Implementation of the federal Workforce Innovation
854 and Opportunity Investment Act ~~of 1998~~.-

855 (1) WORKFORCE INNOVATION AND OPPORTUNITY INVESTMENT ACT
856 PRINCIPLES.-The state's approach to implementing the federal
857 Workforce Innovation and Opportunity Investment Act ~~of 1998~~,
858 Pub. L. No. 113-128 ~~105-220~~, should have six elements:

859 (a) *Streamlining services*.-Florida's employment and
860 training programs must be coordinated and consolidated at
861 locally managed one-stop delivery system centers.

862 (b) *Empowering individuals*.-Eligible participants will make
863 informed decisions, choosing the qualified training program that
864 best meets their needs.

865 (c) *Universal access*.-Through a one-stop delivery system,
866 every Floridian will have access to employment services.

867 (d) *Increased accountability*.-The state, localities, and
868 training providers will be held accountable for their
869 performance.

870 (e) *Local board and private sector leadership*.-Local
871 workforce development boards will focus on strategic planning,
872 policy development, and oversight of the local system, choosing
873 local managers to direct the operational details of their one-

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874 stop delivery system centers.

875 (f) *Local flexibility and integration.*—Localities will have
876 exceptional flexibility to build on existing reforms. Unified
877 planning will free local groups from conflicting
878 micromanagement, while waivers and WorkFlex will allow local
879 innovations.

880 (2) FOUR-YEAR ~~FIVE-YEAR~~ PLAN.—CareerSource Florida, Inc.,
881 shall prepare and submit a 4-year ~~5-year~~ plan, consistent with
882 the requirements of the Workforce Innovation and Opportunity Act
883 ~~which must include secondary career education, to fulfill the~~
884 ~~early implementation requirements of Pub. L. No. 105-220 and~~
885 ~~applicable state statutes.~~ Mandatory and optional federal
886 partners shall be fully involved in designing the plan's one-
887 stop delivery system strategy. The plan must ~~shall~~ clearly
888 define each program's statewide duties and role relating to the
889 system. ~~Any optional federal partner may immediately choose to~~
890 ~~fully integrate its program's plan with this plan, which shall,~~
891 ~~notwithstanding any other state provisions, fulfill all their~~
892 ~~state planning and reporting requirements as they relate to the~~
893 ~~one-stop delivery system.~~ The plan must detail a process that
894 would fully integrate all federally mandated and optional
895 partners ~~by the second year of the plan.~~ All optional federal
896 ~~program partners in the planning process shall be mandatory~~
897 ~~participants in the second year of the plan.~~

898 (3) FUNDING.—

899 (a) Title I, Workforce Innovation and Opportunity
900 ~~Investment Act of 1998~~ funds; Wagner-Peyser funds; and
901 NAFTA/Trade Act funds will be expended based on the 4-year ~~5-~~
902 ~~year~~ plan of CareerSource Florida, Inc. The plan must ~~shall~~

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903 outline and direct the method used to administer and coordinate
904 various funds and programs that are operated by various
905 agencies. The following provisions apply to these funds:

906 1. At least 50 percent of the Title I funds for Adults and
907 Dislocated Workers which are passed through to local ~~regional~~
908 workforce development boards shall be allocated to and expended
909 on Individual Training Accounts unless a local ~~regional~~
910 workforce development board obtains a waiver from CareerSource
911 Florida, Inc. Tuition, books, and fees of training providers and
912 other training services prescribed and authorized by the
913 Workforce Innovation and Opportunity Investment Act of 1998
914 qualify as Individual Training Account expenditures.

915 2. Fifteen percent of Title I funding shall be retained at
916 the state level and dedicated to state administration and shall
917 be used to design, develop, induce, and fund innovative
918 Individual Training Account pilots, demonstrations, and
919 programs. Of such funds retained at the state level, \$2 million
920 shall be reserved for the Incumbent Worker Training Program
921 created under subparagraph 3. Eligible state administration
922 costs include the costs of ~~+~~ funding for the board and staff of
923 CareerSource Florida, Inc.; operating fiscal, compliance, and
924 management accountability systems through CareerSource Florida,
925 Inc.; conducting evaluation and research on workforce
926 development activities; and providing technical and capacity
927 building assistance to local workforce development areas ~~regions~~
928 at the direction of CareerSource Florida, Inc. Notwithstanding
929 s. 445.004, such administrative costs may not exceed 25 percent
930 of these funds. An amount not to exceed 75 percent of these
931 funds shall be allocated to Individual Training Accounts and

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932 other workforce development strategies for other training
933 designed and tailored by CareerSource Florida, Inc., including,
934 but not limited to, programs for incumbent workers, displaced
935 homemakers, nontraditional employment, and enterprise zones.
936 CareerSource Florida, Inc., shall design, adopt, and fund
937 Individual Training Accounts for distressed urban and rural
938 communities.

939 3. The Incumbent Worker Training Program is created for the
940 purpose of providing grant funding for continuing education and
941 training of incumbent employees at existing Florida businesses.
942 The program will provide reimbursement grants to businesses that
943 pay for preapproved, direct, training-related costs.

944 a. The Incumbent Worker Training Program will be
945 administered by CareerSource Florida, Inc., which may, at its
946 discretion, contract with a private business organization to
947 serve as grant administrator.

948 b. The program shall be administered pursuant to section
949 134(d)(4) of the Workforce Innovation and Opportunity Act ~~To be~~
950 ~~eligible for the program's grant funding, a business must have~~
951 ~~been in operation in Florida for a minimum of 1 year prior to~~
952 ~~the application for grant funding; have at least one full-time~~
953 ~~employee; demonstrate financial viability; and be current on all~~
954 ~~state tax obligations.~~ Priority for funding shall be given to
955 businesses with 25 employees or fewer, businesses in rural
956 areas, businesses in distressed inner-city areas, businesses in
957 a qualified targeted industry, businesses whose grant proposals
958 represent a significant upgrade in employee skills, or
959 businesses whose grant proposals represent a significant layoff
960 avoidance strategy.

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961 c. All costs reimbursed by the program must be preapproved
962 by CareerSource Florida, Inc., or the grant administrator. The
963 program may not reimburse businesses for trainee wages, the
964 purchase of capital equipment, or the purchase of any item or
965 service that may possibly be used outside the training project.
966 A business approved for a grant may be reimbursed for
967 preapproved, direct, training-related costs including tuition,
968 fees, books and training materials, and overhead or indirect
969 costs not to exceed 5 percent of the grant amount.

970 d. A business that is selected to receive grant funding
971 must provide a matching contribution to the training project,
972 including, but not limited to, wages paid to trainees or the
973 purchase of capital equipment used in the training project; must
974 sign an agreement with CareerSource Florida, Inc., or the grant
975 administrator to complete the training project as proposed in
976 the application; must keep accurate records of the project's
977 implementation process; and must submit monthly or quarterly
978 reimbursement requests with required documentation.

979 e. All Incumbent Worker Training Program grant projects
980 shall be performance-based with specific measurable performance
981 outcomes, including completion of the training project and job
982 retention. CareerSource Florida, Inc., or the grant
983 administrator shall withhold the final payment to the grantee
984 until a final grant report is submitted and all performance
985 criteria specified in the grant contract have been achieved.

986 f. CareerSource Florida, Inc., may establish guidelines
987 necessary to implement the Incumbent Worker Training Program.

988 g. No more than 10 percent of the Incumbent Worker Training
989 Program's total appropriation may be used for overhead or

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990 indirect purposes.

991 4. At least 50 percent of Rapid Response funding shall be
992 dedicated to Intensive Services Accounts and Individual Training
993 Accounts for dislocated workers and incumbent workers who are at
994 risk of dislocation. CareerSource Florida, Inc., shall also
995 maintain an Emergency Preparedness Fund from Rapid Response
996 funds, which will immediately issue Intensive Service Accounts,
997 Individual Training Accounts, and other federally authorized
998 assistance to eligible victims of natural or other disasters. At
999 the direction of the Governor, these Rapid Response funds shall
1000 be released to local ~~regional~~ workforce development boards for
1001 immediate use after events that qualify under federal law.
1002 Funding shall also be dedicated to maintain a unit at the state
1003 level to respond to Rapid Response emergencies and to work with
1004 state emergency management officials and local ~~regional~~
1005 workforce development boards. All Rapid Response funds must be
1006 expended based on a plan developed by CareerSource Florida,
1007 Inc., and approved by the Governor.

1008 (b) The administrative entity for Title I, Workforce
1009 Innovation and Opportunity ~~Investment Act of 1998~~ funds, and
1010 Rapid Response activities is the Department of Economic
1011 Opportunity, which shall provide direction to local ~~regional~~
1012 workforce development boards regarding Title I programs and
1013 Rapid Response activities pursuant to the direction of
1014 CareerSource Florida, Inc.

1015 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
1016 MODIFICATIONS.—

1017 (a) CareerSource Florida, Inc., may provide indemnification
1018 from audit liabilities to local ~~regional~~ workforce development

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1019 boards that act in full compliance with state law and board
1020 policy.

1021 ~~(b) CareerSource Florida, Inc., may negotiate and settle~~
1022 ~~all outstanding issues with the United States Department of~~
1023 ~~Labor relating to decisions made by CareerSource Florida, Inc.,~~
1024 ~~any predecessor workforce organization, and the Legislature with~~
1025 ~~regard to the Job Training Partnership Act, making settlements~~
1026 ~~and closing out all JTPA program year grants.~~

1027 (b)(e) CareerSource Florida, Inc., may make modifications
1028 to the state's plan, policies, and procedures to comply with
1029 federally mandated requirements that in its judgment must be
1030 complied with to maintain funding provided pursuant to Pub. L.
1031 No. 113-128 ~~105-220~~. The board shall provide written notice to
1032 the Governor, the President of the Senate, and the Speaker of
1033 the House of Representatives within 30 days after any such
1034 changes or modifications.

1035 (c) CareerSource Florida, Inc., shall enter into a
1036 memorandum of understanding with the Florida Department of
1037 Education to ensure that federally mandated requirements of Pub.
1038 L. No. 113-128 are met and are in compliance with the state plan
1039 for workforce development.

1040 (5) LONG-TERM CONSOLIDATION OF WORKFORCE DEVELOPMENT.—
1041 CareerSource Florida, Inc., may recommend workforce-related
1042 divisions, bureaus, units, programs, duties, commissions,
1043 boards, and councils for elimination, consolidation, or
1044 privatization.

1045 Section 24. Subsections (3), (4), (5), (9), (11), and (12)
1046 of section 445.004, Florida Statutes, are amended to read:

1047 445.004 CareerSource Florida, Inc.; creation; purpose;

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1048 membership; duties and powers.—

1049 (3) (a) CareerSource Florida, Inc., shall be governed by a
 1050 board of directors, whose membership and appointment must be
 1051 consistent with Pub. L. No. 113-128, Title I, s. 101(b) ~~105-220,~~
 1052 ~~Title I, s. 111(b)~~. Members described in Pub. L. No. 113-128,
 1053 Title I, s. 101(b) (1) (C) (iii) (I) (aa) ~~105-220, Title I, s.~~
 1054 ~~111(b) (1) (C) (vi)~~ shall be nonvoting members. The number of
 1055 directors shall be determined by the Governor, who shall
 1056 consider the importance of minority, gender, and geographic
 1057 representation in making appointments to the board. When the
 1058 Governor is in attendance, he or she shall preside at all
 1059 meetings of the board of directors.

1060 (b) The board of directors of CareerSource Florida, Inc.,
 1061 shall be chaired by a board member designated by the Governor
 1062 pursuant to Pub. L. No. 113-128 ~~105-220~~. A member may not serve
 1063 more than two terms.

1064 (c) Members appointed by the Governor may serve no more
 1065 than two terms and must be appointed for 3-year terms. However,
 1066 in order to establish staggered terms for board members, the
 1067 Governor shall appoint or reappoint one-third of the board
 1068 members for 1-year terms, one-third of the board members for 2-
 1069 year terms, and one-third of the board members for 3-year terms
 1070 beginning July 1, 2016 ~~2005~~. Subsequent appointments or
 1071 reappointments shall be for 3-year terms, except that a member
 1072 appointed to fill a vacancy on the board shall be appointed to
 1073 serve only the remainder of the term of the member whom he or
 1074 she is replacing, and may be appointed for a subsequent 3-year
 1075 term. Private sector representatives of businesses, appointed by
 1076 the Governor pursuant to Pub. L. No. 113-128 ~~105-220~~, shall

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1077 constitute a majority of the membership of the board. Private
1078 sector representatives shall be appointed from nominations
1079 received by the Governor, including, but not limited to, those
1080 nominations made by the President of the Senate and the Speaker
1081 of the House of Representatives. Private sector appointments to
1082 the board must be representative of the business community of
1083 this state; no fewer than one-half of the appointments must be
1084 representative of small businesses, and at least five members
1085 must have economic development experience. Members appointed by
1086 the Governor serve at the pleasure of the Governor and are
1087 eligible for reappointment.

1088 (d) The board must include the vice chairperson of the
1089 board of directors of Enterprise Florida, Inc., and one member
1090 representing each of the Workforce Innovation and Opportunity
1091 Act partners, including the Division of Career and Adult
1092 Education, and other entities representing programs identified
1093 in the Workforce Innovation and Opportunity Act, as determined
1094 necessary.

1095 (e)~~(d)~~ A member of the board of directors of CareerSource
1096 Florida, Inc., may be removed by the Governor for cause. Absence
1097 from three consecutive meetings results in automatic removal.
1098 The chair of CareerSource Florida, Inc., shall notify the
1099 Governor of such absences.

1100 (f)~~(e)~~ Representatives of businesses appointed to the board
1101 of directors may not include providers of workforce services.

1102 (4) (a) The president of CareerSource Florida, Inc., shall
1103 be hired by the board of directors of CareerSource Florida,
1104 Inc., and shall serve at the pleasure of the Governor in the
1105 capacity of an executive director and secretary of CareerSource

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1106 Florida, Inc.

1107 (b) The board of directors of CareerSource Florida, Inc.,
1108 shall meet at least quarterly and at other times upon the call
1109 of its chair. The board and its committees, subcommittees, or
1110 other subdivisions may use any method of telecommunications to
1111 conduct meetings, including establishing a quorum through
1112 telecommunications, if the public is given proper notice of the
1113 telecommunications meeting and is given reasonable access to
1114 observe and, if appropriate, participate.

1115 (c) A majority of the total current membership of the board
1116 of directors of CareerSource Florida, Inc., constitutes a
1117 quorum.

1118 (d) A majority of those voting is required to organize and
1119 conduct the business of the board, except that a majority of the
1120 entire board of directors is required to adopt or amend the
1121 bylaws.

1122 (e) Except as delegated or authorized by the board of
1123 directors of CareerSource Florida, Inc., individual members have
1124 no authority to control or direct the operations of CareerSource
1125 Florida, Inc., or the actions of its officers and employees,
1126 including the president.

1127 (f) Members of the board of directors of CareerSource
1128 Florida, Inc., and its committees serve without compensation,
1129 but these members, the president, and the employees of
1130 CareerSource Florida, Inc., may be reimbursed for all
1131 reasonable, necessary, and actual expenses pursuant to s.
1132 112.061.

1133 (g) The board of directors of CareerSource Florida, Inc.,
1134 may establish an executive committee consisting of the chair and

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1135 at least six additional board members selected by the chair, one
1136 of whom must be a representative of organized labor. The
1137 executive committee and the president have such authority as the
1138 board delegates to them, except that the board of directors may
1139 not delegate to the executive committee authority to take action
1140 that requires approval by a majority of the entire board of
1141 directors.

1142 (h) The chair may appoint committees to fulfill the board's
1143 responsibilities, to comply with federal requirements, or to
1144 obtain technical assistance, and must incorporate members of
1145 local ~~regional~~ workforce development boards into its structure.

1146 (i) Each member of the board of directors who is not
1147 otherwise required to file a financial disclosure pursuant to s.
1148 8, Art. II of the State Constitution or s. 112.3144 must file
1149 disclosure of financial interests pursuant to s. 112.3145.

1150 (5) CareerSource Florida, Inc., shall have all the powers
1151 and authority not explicitly prohibited by statute which are
1152 necessary or convenient to carry out and effectuate its purposes
1153 as determined by statute, Pub. L. No. 113-128 ~~105-220~~, and the
1154 Governor, as well as its functions, duties, and
1155 responsibilities, including, but not limited to, the following:

1156 (a) Serving as the state's Workforce Development ~~Investment~~
1157 Board pursuant to Pub. L. No. 113-128 ~~105-220~~. Unless otherwise
1158 required by federal law, at least 90 percent of workforce
1159 development funding must go toward direct customer service.

1160 (b) Providing oversight and policy direction to ensure that
1161 the following programs are administered by the department in
1162 compliance with approved plans and under contract with
1163 CareerSource Florida, Inc.:

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- 1164 1. Programs authorized under Title I of the Workforce
1165 ~~Investment~~ Innovation and Opportunity Act of 1998, Pub. L. No.
1166 113-128 ~~105-220~~, with the exception of programs funded directly
1167 by the United States Department of Labor under Title I, s. 167.
- 1168 2. Programs authorized under the Wagner-Peyser Act of 1933,
1169 as amended, 29 U.S.C. ss. 49 et seq.
- 1170 3. Activities authorized under Title II of the Trade Act of
1171 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
1172 Adjustment Assistance Program.
- 1173 4. Activities authorized under 38 U.S.C. chapter 41,
1174 including job counseling, training, and placement for veterans.
- 1175 5. Employment and training activities carried out under
1176 funds awarded to this state by the United States Department of
1177 Housing and Urban Development.
- 1178 6. Welfare transition services funded by the Temporary
1179 Assistance for Needy Families Program, created under the
1180 Personal Responsibility and Work Opportunity Reconciliation Act
1181 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
1182 of the Social Security Act, as amended.
- 1183 7. Displaced homemaker programs, provided under s. 446.50.
- 1184 8. The Florida Bonding Program, provided under Pub. L. No.
1185 97-300, s. 164(a)(1).
- 1186 9. The Food Assistance Employment and Training Program,
1187 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
1188 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
1189 and the Hunger Prevention Act, Pub. L. No. 100-435.
- 1190 10. The Quick-Response Training Program, provided under ss.
1191 288.046-288.047. Matching funds and in-kind contributions that
1192 are provided by clients of the Quick-Response Training Program

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1193 shall count toward the requirements of s. 288.904, pertaining to
1194 the return on investment from activities of Enterprise Florida,
1195 Inc.

1196 11. The Work Opportunity Tax Credit, provided under the Tax
1197 and Trade Relief Extension Act of 1998, Pub. L. No. 105-277, and
1198 the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

1199 12. Offender placement services, provided under ss.
1200 944.707-944.708.

1201 (c) The department may adopt rules necessary to administer
1202 ~~the provisions of~~ this chapter which relate to implementing and
1203 administering the programs listed in paragraph (b) as well as
1204 rules related to eligible training providers and auditing and
1205 monitoring subrecipients of the workforce system grant funds.

1206 (d) Contracting with public and private entities as
1207 necessary to further the directives of this section. All
1208 contracts executed by CareerSource Florida, Inc., must include
1209 specific performance expectations and deliverables. All
1210 CareerSource Florida, Inc., contracts, including those
1211 solicited, managed, or paid by the department pursuant to s.
1212 20.60(5)(c) are exempt from s. 112.061, but shall be governed by
1213 subsection (1).

1214 (e) Notifying the Governor, the President of the Senate,
1215 and the Speaker of the House of Representatives of noncompliance
1216 by the department or other agencies or obstruction of the
1217 board's efforts by such agencies. Upon such notification, the
1218 Executive Office of the Governor shall assist agencies to bring
1219 them into compliance with board objectives.

1220 (f) Ensuring that the state does not waste valuable
1221 training resources. The board shall direct that all resources,

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1222 including equipment purchased for training Workforce Innovation
1223 and Opportunity Investment Act clients, be available for use at
1224 all times by eligible populations as first priority users. At
1225 times when eligible populations are not available, such
1226 resources shall be used for any other state-authorized education
1227 and training purpose. CareerSource Florida, Inc., may authorize
1228 expenditures to award suitable framed certificates, pins, or
1229 other tokens of recognition for performance by a local ~~regional~~
1230 workforce development board, its committees and subdivisions,
1231 and other units of the workforce system. CareerSource Florida,
1232 Inc., may also authorize expenditures for promotional items,
1233 such as t-shirts, hats, or pens printed with messages promoting
1234 the state's workforce system to employers, job seekers, and
1235 program participants. However, such expenditures are subject to
1236 federal regulations applicable to the expenditure of federal
1237 funds.

1238 (g) Establishing a dispute resolution process for all
1239 memoranda of understanding or other contracts or agreements
1240 entered into between the department and local ~~regional~~ workforce
1241 development boards.

1242 (h) Archiving records with the Bureau of Archives and
1243 Records Management of the Division of Library and Information
1244 Services of the Department of State.

1245 (9) CareerSource Florida, Inc., in collaboration with the
1246 local ~~regional~~ workforce development boards and appropriate
1247 state agencies and local public and private service providers
1248 ~~and in consultation with the Office of Program Policy Analysis~~
1249 ~~and Government Accountability~~, shall establish uniform
1250 performance accountability measures that apply across the core

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1251 ~~programs and standards~~ to gauge the performance of the state and
1252 local areas in achieving the workforce development strategy.
1253 ~~These measures and standards must be organized into three~~
1254 ~~outcome tiers.~~

1255 (a) The performance accountability measures for the core
1256 programs consist of the primary indicators of performance, any
1257 additional indicators of performance, and a state-adjusted level
1258 of performance for each indicator pursuant to Pub. L. No. 113-
1259 128, Title I, s. 116(b) ~~first tier of measures must be organized~~
1260 ~~to provide benchmarks for systemwide outcomes. CareerSource~~
1261 ~~Florida, Inc., shall, in collaboration with the Office of~~
1262 ~~Program Policy Analysis and Government Accountability, establish~~
1263 ~~goals for the tier-one outcomes. Systemwide outcomes may include~~
1264 ~~employment in occupations demonstrating continued growth in~~
1265 ~~wages; continued employment after 3, 6, 12, and 24 months;~~
1266 ~~reduction in and elimination of public assistance reliance; job~~
1267 ~~placement; employer satisfaction; and positive return on~~
1268 ~~investment of public resources.~~

1269 (b) The performance accountability measures for each local
1270 area consist of the primary indicators of performance, any
1271 additional indicators of performance, and a local level of
1272 performance for each indicator pursuant to Pub. L. No. 113-128.
1273 The local level of performance is determined by the local board,
1274 the chief elected official, and the Governor pursuant to Pub. L.
1275 No. 113-128, Title I, s. 116(c) ~~second tier of measures must be~~
1276 ~~organized to provide a set of benchmark outcomes for the~~
1277 ~~strategic components of the workforce development strategy. Cost~~
1278 ~~per entered employment, earnings at placement, retention in~~
1279 ~~employment, job placement, and entered employment rate must be~~

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1280 ~~included among the performance outcome measures.~~

1281 (c) Performance accountability measures shall be used to
1282 generate performance reports pursuant to Pub. L. No. 113-128,
1283 Title I, s. 116(d) ~~The third tier of measures must be the~~
1284 ~~operational output measures to be used by the agency~~
1285 ~~implementing programs, which may be specific to federal~~
1286 ~~requirements. The tier-three measures must be developed by the~~
1287 ~~agencies implementing programs, which may consult with~~
1288 ~~CareerSource Florida, Inc., in this effort. Such measures must~~
1289 ~~be reported to CareerSource Florida, Inc., by the appropriate~~
1290 ~~implementing agency.~~

1291 ~~(d) Regional differences must be reflected in the~~
1292 ~~establishment of performance goals and may include job~~
1293 ~~availability, unemployment rates, average worker wage, and~~
1294 ~~available employable population.~~

1295 ~~(e) Job placement must be reported pursuant to s. 1008.39.~~
1296 ~~Positive outcomes for providers of education and training must~~
1297 ~~be consistent with ss. 1008.42 and 1008.43.~~

1298 (d)(f) The performance accountability uniform measures of
1299 success that are adopted by CareerSource Florida, Inc., or the
1300 local regional workforce development boards must be developed in
1301 a manner that provides for an equitable comparison of the
1302 relative success or failure of any service provider in terms of
1303 positive outcomes.

1304 ~~(g) By December 1 of each year, CareerSource Florida, Inc.,~~
1305 ~~shall provide the Legislature with a report detailing the~~
1306 ~~performance of Florida's workforce development system, as~~
1307 ~~reflected in the three-tier measurement system. The report also~~
1308 ~~must benchmark Florida outcomes for all tiers as compared with~~

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1309 ~~other states that collect data similarly.~~

1310 (11) The workforce development system must use a charter-
1311 process approach aimed at encouraging local design and control
1312 of service delivery and targeted activities. CareerSource
1313 Florida, Inc., shall be responsible for granting charters to
1314 local ~~regional~~ workforce development boards that have a
1315 membership consistent with the requirements of federal and state
1316 law and have developed a plan consistent with the state's
1317 workforce development strategy. The plan must specify methods
1318 for allocating the resources and programs in a manner that
1319 eliminates unwarranted duplication, minimizes administrative
1320 costs, meets the existing job market demands and the job market
1321 demands resulting from successful economic development
1322 activities, ensures access to quality workforce development
1323 services for all Floridians, allows for pro rata or partial
1324 distribution of benefits and services, prohibits the creation of
1325 a waiting list or other indication of an unserved population,
1326 serves as many individuals as possible within available
1327 resources, and maximizes successful outcomes. As part of the
1328 charter process, CareerSource Florida, Inc., shall establish
1329 incentives for effective coordination of federal and state
1330 programs, outline rewards for successful job placements, and
1331 institute collaborative approaches among local service
1332 providers. Local decisionmaking and control shall be important
1333 components for inclusion in this charter application.

1334 (12) CareerSource Florida, Inc., shall enter into agreement
1335 with Space Florida and collaborate with vocational institutes,
1336 community colleges, colleges, and universities in this state, to
1337 develop a workforce development strategy to implement the

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1338 workforce provisions of s. 331.3051.

1339 Section 25. Section 445.006, Florida Statutes, is amended
1340 to read:

1341 445.006 State plan ~~Strategic and operational plans~~ for
1342 workforce development.—

1343 (1) STATE PLAN.—CareerSource Florida, Inc., in conjunction
1344 with state and local partners in the workforce system, shall
1345 develop a state plan that produces an educated and skilled
1346 workforce. The state plan must consist of strategic and
1347 operational planning elements. The state plan shall be submitted
1348 by the Governor to the United States Department of Labor
1349 pursuant to the requirements of Pub. L. No. 113-128 ~~strategie~~
1350 ~~plan that produces skilled employees for employers in the state.~~
1351 ~~The strategic plan shall be updated or modified by January 1 of~~
1352 ~~each year.~~

1353 (2) STRATEGIC PLANNING ELEMENTS.—CareerSource Florida,
1354 Inc., in conjunction with state and local partners in the
1355 workforce system, shall develop strategic planning elements,
1356 pursuant to Pub. L. No. 113-128, Title I, s. 102, for the state
1357 plan.

1358 (a) The strategic planning elements of the state plan must
1359 include, but need not be limited to, strategies for:

1360 1. ~~(a)~~ Fulfilling the workforce system goals and strategies
1361 prescribed in s. 445.004;

1362 2. ~~(b)~~ Aggregating, integrating, and leveraging workforce
1363 system resources;

1364 3. ~~(e)~~ Coordinating the activities of federal, state, and
1365 local workforce system partners;

1366 4. ~~(d)~~ Addressing the workforce needs of small businesses;

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1367 and

1368 5.(e) Fostering the participation of rural communities and
1369 distressed urban cores in the workforce system.

1370 ~~(2) CareerSource Florida, Inc., shall establish an~~
1371 ~~operational plan to implement the state strategic plan. The~~
1372 ~~operational plan shall be submitted to the Governor and the~~
1373 ~~Legislature along with the strategic plan and must reflect the~~
1374 ~~allocation of resources as appropriated by the Legislature to~~
1375 ~~specific responsibilities enumerated in law. As a component of~~
1376 ~~the operational plan required under this section, CareerSource~~
1377 ~~Florida, Inc., shall develop a workforce marketing plan, with~~
1378 ~~the goal of educating individuals inside and outside the state~~
1379 ~~about the employment market and employment conditions in the~~
1380 ~~state. The marketing plan must include, but need not be limited~~
1381 ~~to, strategies for:~~

1382 ~~(a) Distributing information to secondary and postsecondary~~
1383 ~~education institutions about the diversity of businesses in the~~
1384 ~~state, specific clusters of businesses or business sectors in~~
1385 ~~the state, and occupations by industry which are in demand by~~
1386 ~~employers in the state;~~

1387 ~~(b) Distributing information about and promoting use of the~~
1388 ~~Internet-based job matching and labor market information system~~
1389 ~~authorized under s. 445.011; and~~

1390 ~~(c) Coordinating with Enterprise Florida, Inc., to ensure~~
1391 ~~that workforce marketing efforts complement the economic~~
1392 ~~development marketing efforts of the state.~~

1393 ~~(3) The operational plan must include performance measures,~~
1394 ~~standards, measurement criteria, and contract guidelines in the~~
1395 ~~following areas with respect to participants in the welfare~~

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- 1396 ~~transition program:~~
- 1397 ~~(a) Work participation rates, by type of activity;~~
- 1398 ~~(b) Caseload trends;~~
- 1399 ~~(c) Recidivism;~~
- 1400 ~~(d) Participation in diversion and relocation assistance~~
- 1401 ~~programs;~~
- 1402 ~~(e) Employment retention;~~
- 1403 ~~(f) Wage growth; and~~
- 1404 ~~(g) Other issues identified by the board of directors of~~
- 1405 ~~CareerSource Florida, Inc.~~
- 1406 (b)(4) The strategic planning elements plan must include
- 1407 criteria for allocating workforce resources to local regional
- 1408 workforce development boards. With respect to allocating funds
- 1409 to serve customers of the welfare transition program, such
- 1410 criteria may include weighting factors that indicate the
- 1411 relative degree of difficulty associated with securing and
- 1412 retaining employment placements for specific subsets of the
- 1413 welfare transition caseload.
- 1414 (3) OPERATIONAL PLANNING ELEMENTS.—CareerSource Florida,
- 1415 Inc., in conjunction with state and local partners in the
- 1416 workforce system, shall develop operational planning elements,
- 1417 pursuant to Pub. L. No. 113-128, Title I, s. 102, for the state
- 1418 plan.
- 1419 ~~(5)(a) The operational plan may include a performance-based~~
- 1420 ~~payment structure to be used for all welfare transition program~~
- 1421 ~~customers which takes into account:~~
- 1422 ~~1. The degree of difficulty associated with placement and~~
- 1423 ~~retention;~~
- 1424 ~~2. The quality of the placement with respect to salary,~~

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1425 ~~benefits, and opportunities for advancement; and~~

1426 ~~3. The employee's retention in the placement.~~

1427 ~~(b) The payment structure may provide for bonus payments of~~
1428 ~~up to 10 percent of the contract amount to providers that~~
1429 ~~achieve notable success in achieving contract objectives,~~
1430 ~~including, but not limited to, success in diverting families in~~
1431 ~~which there is an adult who is subject to work requirements from~~
1432 ~~receiving cash assistance and in achieving long-term job~~
1433 ~~retention and wage growth with respect to welfare transition~~
1434 ~~program customers. A service provider shall be paid a maximum of~~
1435 ~~one payment per service for each participant during any given 6-~~
1436 ~~month period.~~

1437 ~~(6) (a) The operational plan must include strategies that~~
1438 ~~are designed to prevent or reduce the need for a person to~~
1439 ~~receive public assistance, including:~~

1440 ~~1. A teen pregnancy prevention component that includes, but~~
1441 ~~is not limited to, a plan for implementing the Teen Pregnancy~~
1442 ~~Prevention Community Initiative within each county of the~~
1443 ~~services area in which the teen birth rate is higher than the~~
1444 ~~state average;~~

1445 ~~2. A component that encourages community-based welfare~~
1446 ~~prevention and reduction initiatives that increase support~~
1447 ~~provided by noncustodial parents to their welfare-dependent~~
1448 ~~children and are consistent with program and financial~~
1449 ~~guidelines developed by CareerSource Florida, Inc., and the~~
1450 ~~Commission on Responsible Fatherhood. These initiatives may~~
1451 ~~include improved paternity establishment, work activities for~~
1452 ~~noncustodial parents, programs aimed at decreasing out-of-~~
1453 ~~wedlock pregnancies, encouraging involvement of fathers with~~

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1454 ~~their children which includes court-ordered supervised~~
1455 ~~visitation, and increasing child support payments;~~

1456 ~~3. A component that encourages formation and maintenance of~~
1457 ~~two-parent families through, among other things, court-ordered~~
1458 ~~supervised visitation;~~

1459 ~~4. A component that fosters responsible fatherhood in~~
1460 ~~families receiving assistance; and~~

1461 ~~5. A component that fosters the provision of services that~~
1462 ~~reduce the incidence and effects of domestic violence on women~~
1463 ~~and children in families receiving assistance.~~

1464 ~~(b) Specifications for welfare transition program services~~
1465 ~~that are to be delivered include, but are not limited to:~~

1466 ~~1. Initial assessment services prior to an individual being~~
1467 ~~placed in an employment service, to determine whether the~~
1468 ~~individual should be referred for relocation, up-front~~
1469 ~~diversion, education, or employment placement. Assessment~~
1470 ~~services shall be paid on a fixed unit rate and may not provide~~
1471 ~~educational or employment placement services.~~

1472 ~~2. Referral of participants to diversion and relocation~~
1473 ~~programs.~~

1474 ~~3. Preplacement services, including assessment, staffing,~~
1475 ~~career plan development, work orientation, and employability~~
1476 ~~skills enhancement.~~

1477 ~~4. Services necessary to secure employment for a welfare~~
1478 ~~transition program participant.~~

1479 ~~5. Services necessary to assist participants in retaining~~
1480 ~~employment, including, but not limited to, remedial education,~~
1481 ~~language skills, and personal and family counseling.~~

1482 ~~6. Desired quality of job placements with regard to salary,~~

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- 1483 ~~benefits, and opportunities for advancement.~~
- 1484 ~~7. Expectations regarding job retention.~~
- 1485 ~~8. Strategies to ensure that transition services are~~
- 1486 ~~provided to participants for the mandated period of eligibility.~~
- 1487 ~~9. Services that must be provided to the participant~~
- 1488 ~~throughout an education or training program, such as monitoring~~
- 1489 ~~attendance and progress in the program.~~
- 1490 ~~10. Services that must be delivered to welfare transition~~
- 1491 ~~program participants who have a deferral from work requirements~~
- 1492 ~~but wish to participate in activities that meet federal~~
- 1493 ~~participation requirements.~~
- 1494 ~~11. Expectations regarding continued participant awareness~~
- 1495 ~~of available services and benefits.~~

1496 Section 26. Section 445.007, Florida Statutes, is amended
 1497 to read:

1498 445.007 Local ~~Regional~~ workforce development boards.-
 1499 (1) One ~~regional~~ workforce development board shall be
 1500 appointed in each designated service delivery area and shall
 1501 serve as the local workforce development ~~investment~~ board
 1502 pursuant to Pub. L. No. 113-128 ~~105-220~~. The membership of the
 1503 board must ~~shall~~ be consistent with Pub. L. No. 113-128 ~~105-220~~,
 1504 Title I, s. 107(b) ~~s. 117(b)~~ but may not exceed the minimum
 1505 membership required in Pub. L. No. ~~105-220~~, Title I, s.
 1506 ~~117(b)(2)(A)~~ and in this subsection. Upon approval by the
 1507 Governor, the chief elected official may appoint additional
 1508 members above the limit set by this subsection. If a public
 1509 education or training provider is represented on the board, a
 1510 representative of a private nonprofit provider and a
 1511 representative of a private for-profit provider must also be

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1512 ~~appointed to the board. The board shall include one nonvoting~~
1513 ~~representative from a military installation if a military~~
1514 ~~installation is located within the region and the appropriate~~
1515 ~~military command or organization authorizes such representation.~~
1516 ~~It is the intent of the Legislature that membership of a~~
1517 ~~regional workforce board include persons who are current or~~
1518 ~~former recipients of welfare transition assistance as defined in~~
1519 ~~s. 445.002(2) or workforce services as provided in s. 445.009(1)~~
1520 ~~or that such persons be included as ex officio members of the~~
1521 ~~board or of committees organized by the board. The importance of~~
1522 ~~minority and gender representation shall be considered when~~
1523 ~~making appointments to the board. The board, its committees,~~
1524 ~~subcommittees, and subdivisions, and other units of the~~
1525 ~~workforce system, including units that may consist in whole or~~
1526 ~~in part of local governmental units, may use any method of~~
1527 ~~telecommunications to conduct meetings, including establishing a~~
1528 ~~quorum through telecommunications, provided that the public is~~
1529 ~~given proper notice of the telecommunications meeting and~~
1530 ~~reasonable access to observe and, when appropriate, participate.~~
1531 Local Regional workforce development boards are subject to
1532 chapters 119 and 286 and s. 24, Art. I of the State
1533 Constitution. If the local ~~regional~~ workforce development board
1534 enters into a contract with an organization or individual
1535 represented on the board of directors, the contract must be
1536 approved by a two-thirds vote of the board, a quorum having been
1537 established, and the board member who could benefit financially
1538 from the transaction must abstain from voting on the contract. A
1539 board member must disclose any such conflict in a manner that is
1540 consistent with the procedures outlined in s. 112.3143. Each

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1541 member of a local ~~regional~~ workforce development board who is
1542 not otherwise required to file a full and public disclosure of
1543 financial interests pursuant to s. 8, Art. II of the State
1544 Constitution or s. 112.3144 shall file a statement of financial
1545 interests pursuant to s. 112.3145. The executive director or
1546 designated person responsible for the operational and
1547 administrative functions of the local ~~regional~~ workforce
1548 development board who is not otherwise required to file a full
1549 and public disclosure of financial interests pursuant to s. 8,
1550 Art. II of the State Constitution or s. 112.3144 shall file a
1551 statement of financial interests pursuant to s. 112.3145.

1552 (2) (a) The local ~~regional~~ workforce development board shall
1553 elect a chair from among the representatives described in Pub.
1554 L. No. 113-128 ~~105-220~~, Title I, s. 107(b)(2)(A) ~~s.~~
1555 ~~117(b)(2)(A)(i)~~ to serve for a term of no more than 2 years and
1556 shall serve no more than two terms.

1557 (b) The Governor may remove a member of the board, the
1558 executive director of the board, or the designated person
1559 responsible for the operational and administrative functions of
1560 the board for cause. As used in this paragraph, the term "cause"
1561 includes, but is not limited to, engaging in fraud or other
1562 criminal acts, incapacity, unfitness, neglect of duty, official
1563 incompetence and irresponsibility, misfeasance, malfeasance,
1564 nonfeasance, or lack of performance.

1565 (3) The Department of Economic Opportunity, under the
1566 direction of CareerSource Florida, Inc., shall assign staff to
1567 meet with each local ~~regional~~ workforce development board
1568 annually to review the board's performance and to certify that
1569 the board is in compliance with applicable state and federal

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1570 law.

1571 (4) In addition to the duties and functions specified by
1572 CareerSource Florida, Inc., and by the interlocal agreement
1573 approved by the local county or city governing bodies, the local
1574 ~~regional~~ workforce development board shall have the following
1575 responsibilities:

1576 (a) Develop, submit, ratify, or amend the local plan
1577 pursuant to Pub. L. No. 113-128, Title I, s. 108 ~~105-220, Title~~
1578 ~~I, s. 118,~~ and the provisions of this act.

1579 (b) Conclude agreements necessary to designate the fiscal
1580 agent and administrative entity. A public or private entity,
1581 including an entity established pursuant to s. 163.01, which
1582 makes a majority of the appointments to a local ~~regional~~
1583 workforce development board may serve as the board's
1584 administrative entity if approved by CareerSource Florida, Inc.,
1585 based upon a showing that a fair and competitive process was
1586 used to select the administrative entity.

1587 (c) Complete assurances required for the charter process of
1588 CareerSource Florida, Inc., and provide ongoing oversight
1589 related to administrative costs, duplicated services, career
1590 counseling, economic development, equal access, compliance and
1591 accountability, and performance outcomes.

1592 (d) Oversee the one-stop delivery system in its local area.

1593 (5) CareerSource Florida, Inc., shall implement a training
1594 program for the local ~~regional~~ workforce development boards to
1595 familiarize board members with the state's workforce development
1596 goals and strategies.

1597 (6) The local ~~regional~~ workforce development board shall
1598 designate all local service providers and may not transfer this

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1599 authority to a third party. Consistent with the intent of the
1600 Workforce Innovation and Opportunity Investment Act, local
1601 ~~regional~~ workforce development boards should provide the
1602 greatest possible choice of training providers to those who
1603 qualify for training services. A local ~~regional~~ workforce
1604 development board may not restrict the choice of training
1605 providers based upon cost, location, or historical training
1606 arrangements. However, a board may restrict the amount of
1607 training resources available to any one client. Such
1608 restrictions may vary based upon the cost of training in the
1609 client's chosen occupational area. The local ~~regional~~ workforce
1610 development board may be designated as a one-stop operator and
1611 direct provider of intake, assessment, eligibility
1612 determinations, or other direct provider services except
1613 training services. Such designation may occur only with the
1614 agreement of the chief elected official and the Governor as
1615 specified in 29 U.S.C. s. 2832(f)(2). CareerSource Florida,
1616 Inc., shall establish procedures by which a local ~~regional~~
1617 workforce development board may request permission to operate
1618 under this section and the criteria under which such permission
1619 may be granted. The criteria shall include, but need not be
1620 limited to, a reduction in the cost of providing the permitted
1621 services. Such permission shall be granted for a period not to
1622 exceed 3 years for any single request submitted by the local
1623 ~~regional~~ workforce development board.

1624 (7) Local ~~Regional~~ workforce development boards shall adopt
1625 a committee structure consistent with applicable federal law and
1626 state policies established by CareerSource Florida, Inc.

1627 (8) The importance of minority and gender representation

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1628 shall be considered when appointments are made to any committee
1629 established by the local ~~regional~~ workforce development board.

1630 (9) For purposes of procurement, local ~~regional~~ workforce
1631 development boards and their administrative entities are not
1632 state agencies and are exempt from chapters 120 and 287. The
1633 local ~~regional~~ workforce development boards shall apply the
1634 procurement and expenditure procedures required by federal law
1635 and policies of the Department of Economic Opportunity and
1636 CareerSource Florida, Inc., for the expenditure of federal,
1637 state, and nonpass-through funds. The making or approval of
1638 smaller, multiple payments for a single purchase with the intent
1639 to avoid or evade the monetary thresholds and procedures
1640 established by federal law and policies of the Department of
1641 Economic Opportunity and CareerSource Florida, Inc., is grounds
1642 for removal for cause. Local ~~Regional~~ workforce development
1643 boards, their administrative entities, committees, and
1644 subcommittees, and other workforce units may authorize
1645 expenditures to award suitable framed certificates, pins, or
1646 other tokens of recognition for performance by units of the
1647 workforce system. Local ~~Regional~~ workforce development boards;
1648 their administrative entities, committees, and subcommittees;
1649 and other workforce units may authorize expenditures for
1650 promotional items, such as t-shirts, hats, or pens printed with
1651 messages promoting Florida's workforce system to employers, job
1652 seekers, and program participants. However, such expenditures
1653 are subject to federal regulations applicable to the expenditure
1654 of federal funds. All contracts executed by local ~~regional~~
1655 workforce development boards must include specific performance
1656 expectations and deliverables.

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1657 (10) State and federal funds provided to the local ~~regional~~
1658 workforce development boards may not be used directly or
1659 indirectly to pay for meals, food, or beverages for board
1660 members, staff, or employees of local ~~regional~~ workforce
1661 development boards, CareerSource Florida, Inc., or the
1662 Department of Economic Opportunity except as expressly
1663 authorized by state law. Preapproved, reasonable, and necessary
1664 per diem allowances and travel expenses may be reimbursed. Such
1665 reimbursement shall be at the standard travel reimbursement
1666 rates established in s. 112.061 and shall be in compliance with
1667 all applicable federal and state requirements. CareerSource
1668 Florida, Inc., shall develop a statewide fiscal policy
1669 applicable to the state board and all local ~~regional~~ workforce
1670 development boards, to hold both the state and local ~~regional~~
1671 workforce development boards strictly accountable for adherence
1672 to the policy and subject to regular and periodic monitoring by
1673 the Department of Economic Opportunity, the administrative
1674 entity for CareerSource Florida, Inc. Boards are prohibited from
1675 expending state or federal funds for entertainment costs and
1676 recreational activities for board members and employees as these
1677 terms are defined by 2 C.F.R. part 230.

1678 (11) To increase transparency and accountability, a local
1679 ~~regional~~ workforce development board must comply with the
1680 requirements of this section before contracting with a member of
1681 the board or a relative, as defined in s. 112.3143(1)(c), of a
1682 board member or of an employee of the board. Such contracts may
1683 not be executed before or without the approval of CareerSource
1684 Florida, Inc. Such contracts, as well as documentation
1685 demonstrating adherence to this section as specified by

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1686 CareerSource Florida, Inc., must be submitted to the Department
1687 of Economic Opportunity for review and recommendation according
1688 to criteria to be determined by CareerSource Florida, Inc. Such
1689 a contract must be approved by a two-thirds vote of the board, a
1690 quorum having been established; all conflicts of interest must
1691 be disclosed before the vote; and any member who may benefit
1692 from the contract, or whose relative may benefit from the
1693 contract, must abstain from the vote. A contract under \$25,000
1694 between a local ~~regional~~ workforce development board and a
1695 member of that board or between a relative, as defined in s.
1696 112.3143(1)(c), of a board member or of an employee of the board
1697 is not required to have the prior approval of CareerSource
1698 Florida, Inc., but must be approved by a two-thirds vote of the
1699 board, a quorum having been established, and must be reported to
1700 the Department of Economic Opportunity and CareerSource Florida,
1701 Inc., within 30 days after approval. If a contract cannot be
1702 approved by CareerSource Florida, Inc., a review of the decision
1703 to disapprove the contract may be requested by the local
1704 ~~regional~~ workforce development board or other parties to the
1705 disapproved contract.

1706 (12) Each local ~~regional~~ workforce development board shall
1707 develop a budget for the purpose of carrying out the duties of
1708 the board under this section, subject to the approval of the
1709 chief elected official. Each local ~~regional~~ workforce
1710 development board shall submit its annual budget for review to
1711 CareerSource Florida, Inc., no later than 2 weeks after the
1712 chair approves the budget.

1713 (13) By March 1, 2018, CareerSource Florida, Inc., shall
1714 establish regional planning areas in accordance with Pub. L. No.

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1715 113-128, Title I, s. 106(a)(2). Local workforce development
1716 boards and chief elected officials within identified regional
1717 planning areas shall prepare a regional workforce development
1718 plan as required under Pub. L. No. 113-128, Title I, s.
1719 106(c)(2).

1720 Section 27. Subsections (4) and (5) of section 445.0071,
1721 Florida Statutes, are amended to read:

1722 445.0071 Florida Youth Summer Jobs Pilot Program.—

1723 (4) GOVERNANCE.—

1724 (a) The pilot program shall be administered by the local
1725 ~~regional~~ workforce development board in consultation with
1726 CareerSource Florida, Inc.

1727 (b) The local ~~regional~~ workforce development board shall
1728 report to CareerSource Florida, Inc., the number of at-risk and
1729 disadvantaged children who enter the program, the types of work
1730 activities they participate in, and the number of children who
1731 return to school, go on to postsecondary school, or enter the
1732 workforce full time at the end of the program. CareerSource
1733 Florida, Inc., shall report to the Legislature by November 1 of
1734 each year on the performance of the program.

1735 (5) FUNDING.—

1736 (a) The local ~~regional~~ workforce development board shall,
1737 consistent with state and federal laws, use funds appropriated
1738 specifically for the pilot program to provide youth wage
1739 payments and educational enrichment activities. The local
1740 ~~regional~~ workforce development board and local communities may
1741 obtain private or state and federal grants or other sources of
1742 funds in addition to any appropriated funds.

1743 (b) Program funds shall be used as follows:

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1744 1. No less than 85 percent of the funds shall be used for
1745 youth wage payments or educational enrichment activities. These
1746 funds shall be matched on a one-to-one basis by each local
1747 community that participates in the program.

1748 2. No more than 2 percent of the funds may be used for
1749 administrative purposes.

1750 3. The remainder of the funds may be used for
1751 transportation assistance, child care assistance, or other
1752 assistance to enable a program participant to enter or remain in
1753 the program.

1754 (c) The local ~~regional~~ workforce development board shall
1755 pay a participating employer an amount equal to one-half of the
1756 wages paid to a youth participating in the program. Payments
1757 shall be made monthly for the duration that the youth
1758 participant is employed as documented by the employer and
1759 confirmed by the local ~~regional~~ workforce development board.

1760 Section 28. Subsections (2) through (7), paragraphs (b),
1761 (c), and (d) of subsection (8), paragraph (b) of subsection (9),
1762 and subsection (10) of section 445.009, Florida Statutes, are
1763 amended to read:

1764 445.009 One-stop delivery system.—

1765 (2) (a) Subject to a process designed by CareerSource
1766 Florida, Inc., and in compliance with Pub. L. No. 113-128 ~~105-~~
1767 ~~220~~, local ~~regional~~ workforce development boards shall designate
1768 one-stop delivery system operators.

1769 (b) A local ~~regional~~ workforce development board may
1770 designate as its one-stop delivery system operator any public or
1771 private entity that is eligible to provide services under any
1772 state or federal workforce program that is a mandatory or

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1773 discretionary partner in the local workforce development area's
1774 ~~region's~~ one-stop delivery system if approved by CareerSource
1775 Florida, Inc., upon a showing by the local ~~regional~~ workforce
1776 development board that a fair and competitive process was used
1777 in the selection. As a condition of authorizing a local ~~regional~~
1778 workforce development board to designate such an entity as its
1779 one-stop delivery system operator, CareerSource Florida, Inc.,
1780 must require the local ~~regional~~ workforce development board to
1781 demonstrate that safeguards are in place to ensure that the one-
1782 stop delivery system operator will not exercise an unfair
1783 competitive advantage or unfairly refer or direct customers of
1784 the one-stop delivery system to services provided by that one-
1785 stop delivery system operator. A local ~~regional~~ workforce
1786 development board may retain its current one-stop career center
1787 operator without further procurement action if the board has an
1788 established one-stop career center that has complied with
1789 federal and state law.

1790 (c) The local workforce development board must enter into a
1791 memorandum of understanding with each mandatory or optional
1792 partner participating in the one-stop delivery system which
1793 details the partner's required contribution to infrastructure
1794 costs, as required by Pub. L. No. 113-128, s. 121(h). If the
1795 local workforce development board and the one-stop partner are
1796 unable to come to an agreement regarding infrastructure costs by
1797 July 1, 2016, the costs shall be allocated pursuant to a policy
1798 established by the Governor.

1799 (3) Local ~~Regional~~ workforce development boards shall enter
1800 into a memorandum of understanding with the Department of
1801 Economic Opportunity for the delivery of employment services

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1802 authorized by the federal Wagner-Peyser Act. This memorandum of
1803 understanding must be performance based.

1804 (a) Unless otherwise required by federal law, at least 90
1805 percent of the Wagner-Peyser funding must go into direct
1806 customer service costs.

1807 (b) Employment services must be provided through the one-
1808 stop delivery system, under the guidance of one-stop delivery
1809 system operators. One-stop delivery system operators shall have
1810 overall authority for directing the staff of the workforce
1811 system. Personnel matters shall remain under the ultimate
1812 authority of the department. However, the one-stop delivery
1813 system operator shall submit to the department information
1814 concerning the job performance of employees of the department
1815 who deliver employment services. The department shall consider
1816 any such information submitted by the one-stop delivery system
1817 operator in conducting performance appraisals of the employees.

1818 (c) The department shall retain fiscal responsibility and
1819 accountability for the administration of funds allocated to the
1820 state under the Wagner-Peyser Act. An employee of the department
1821 who is providing services authorized under the Wagner-Peyser Act
1822 shall be paid using Wagner-Peyser Act funds.

1823 (4) One-stop delivery system partners shall enter into a
1824 memorandum of understanding pursuant to Pub. L. No. 113-128 ~~105-~~
1825 ~~220~~, Title I, s. 121, with the local ~~regional~~ workforce
1826 development board. Failure of a local partner to participate
1827 cannot unilaterally block the majority of partners from moving
1828 forward with their one-stop delivery system, and CareerSource
1829 Florida, Inc., pursuant to s. 445.004(5)(e), may make
1830 notification of a local partner that fails to participate.

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1831 (5) To the extent possible, local ~~regional~~ workforce
1832 development boards shall include as partners in the local one-
1833 stop delivery system entities that provide programs or
1834 activities designed to meet the needs of homeless persons.

1835 (6) (a) To the extent possible, core services, as defined by
1836 Pub. L. No. 113-128 ~~105-220~~, shall be provided electronically,
1837 using existing systems. These electronic systems shall be linked
1838 and integrated into a comprehensive service system to simplify
1839 access to core services by:

1840 1. Maintaining staff to serve as the first point of contact
1841 with the public seeking access to employment services who are
1842 knowledgeable about each program located in each one-stop
1843 delivery system center as well as related services. An initial
1844 determination of the programs for which a customer is likely to
1845 be eligible and any referral for a more thorough eligibility
1846 determination must be made at this first point of contact; and

1847 2. Establishing an automated, integrated intake screening
1848 and eligibility process where customers will provide information
1849 through a self-service intake process that may be accessed by
1850 staff from any participating program.

1851 (b) To expand electronic capabilities, CareerSource
1852 Florida, Inc., working with local ~~regional~~ workforce development
1853 boards, shall develop a centralized help center to assist local
1854 ~~regional~~ workforce development boards in fulfilling core
1855 services, minimizing the need for fixed-site one-stop delivery
1856 system centers.

1857 (c) To the extent feasible, core services shall be
1858 accessible through the Internet. Through this technology, core
1859 services shall be made available at public libraries, public and

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1860 private educational institutions, community centers, kiosks,
1861 neighborhood facilities, and satellite one-stop delivery system
1862 sites. Each local ~~regional~~ workforce development board's web
1863 page shall serve as a portal for contacting potential employees
1864 by integrating the placement efforts of universities and private
1865 companies, including staffing services firms, into the existing
1866 one-stop delivery system.

1867 (7) Intensive services and training provided pursuant to
1868 Pub. L. No. 113-128 ~~105-220~~, shall be provided to individuals
1869 through Intensive Service Accounts and Individual Training
1870 Accounts. CareerSource Florida, Inc., shall develop an
1871 implementation plan, including identification of initially
1872 eligible training providers, transition guidelines, and criteria
1873 for use of these accounts. Individual Training Accounts must be
1874 compatible with Individual Development Accounts for education
1875 allowed in federal and state welfare reform statutes.

1876 (8)

1877 (b) For each approved training program, local ~~regional~~
1878 workforce development boards, in consultation with training
1879 providers, shall establish a fair-market purchase price to be
1880 paid through an Individual Training Account. The purchase price
1881 must be based on prevailing costs and reflect local economic
1882 factors, program complexity, and program benefits, including
1883 time to beginning of training and time to completion. The price
1884 shall ensure the fair participation of public and nonpublic
1885 postsecondary educational institutions as authorized service
1886 providers and shall prohibit the use of unlawful remuneration to
1887 the student in return for attending an institution. Unlawful
1888 remuneration does not include student financial assistance

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1889 programs.

1890 (c) CareerSource Florida, Inc., shall periodically review
1891 Individual Training Account pricing schedules developed by local
1892 ~~regional~~ workforce development boards and present findings and
1893 recommendations for process improvement to the President of the
1894 Senate and the Speaker of the House of Representatives.

1895 (d) To the maximum extent possible, training providers
1896 shall use funding sources other than the funding provided under
1897 Pub. L. No. 113-128 ~~105-220~~. CareerSource Florida, Inc., shall
1898 develop a system to encourage the leveraging of appropriated
1899 resources for the workforce system and shall report on such
1900 efforts as part of the required annual report.

1901 (9)

1902 (b) The network shall assure that a uniform method is used
1903 to determine eligibility for and management of services provided
1904 by agencies that conduct workforce development activities. The
1905 Department of Management Services shall develop strategies to
1906 allow access to the databases and information management systems
1907 of the following systems in order to link information in those
1908 databases with the one-stop delivery system:

- 1909 1. The Reemployment Assistance Program under chapter 443.
- 1910 2. The public employment service described in s. 443.181.
- 1911 3. The public assistance information system used by the
1912 Department of Children and Families ~~FLORIDA System~~ and the
1913 components related to temporary cash assistance, food
1914 assistance, and Medicaid eligibility.
- 1915 4. The Student Financial Assistance System of the
1916 Department of Education.
- 1917 5. Enrollment in the public postsecondary education system.

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1918 6. Other information systems determined appropriate by
1919 CareerSource Florida, Inc.

1920 (10) To the maximum extent feasible, the one-stop delivery
1921 system may use private sector staffing services firms in the
1922 provision of workforce services to individuals and employers in
1923 the state. Local ~~Regional~~ workforce development boards may
1924 collaborate with staffing services firms in order to facilitate
1925 the provision of workforce services. Local ~~Regional~~ workforce
1926 development boards may contract with private sector staffing
1927 services firms to design programs that meet the employment needs
1928 of the local workforce development area ~~region~~. All such
1929 contracts must be performance-based and require a specific
1930 period of job tenure before ~~prior to~~ payment.

1931 Section 29. Subsections (1) and (3) of section 445.014,
1932 Florida Statutes, are amended to read:

1933 445.014 Small business workforce service initiative.—

1934 (1) Subject to legislative appropriation, CareerSource
1935 Florida, Inc., shall establish a program to encourage local
1936 ~~regional~~ workforce development boards to establish one-stop
1937 delivery systems that maximize the provision of workforce and
1938 human-resource support services to small businesses. Under the
1939 program, a local ~~regional~~ workforce development board may apply,
1940 on a competitive basis, for funds to support the provision of
1941 such services to small businesses through the local workforce
1942 development area's ~~region's~~ one-stop delivery system.

1943 (3) CareerSource Florida, Inc., shall establish guidelines
1944 governing the administration of this program and shall establish
1945 criteria to be used in evaluating applications for funding. Such
1946 criteria must include, but need not be limited to, a showing

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1947 that the local ~~regional~~ board has in place a detailed plan for
1948 establishing a one-stop delivery system designed to meet the
1949 workforce needs of small businesses and for leveraging other
1950 funding sources in support of such activities.

1951 Section 30. Subsections (3), (4), and (5) of section
1952 445.017, Florida Statutes, are amended to read:

1953 445.017 Diversion.—

1954 (3) Before finding an applicant family eligible for up-
1955 front diversion services, the local ~~regional~~ workforce
1956 development board must determine that all requirements of
1957 eligibility for diversion services would likely be met.

1958 (4) The local ~~regional~~ workforce development board shall
1959 screen each family on a case-by-case basis for barriers to
1960 obtaining or retaining employment. The screening shall identify
1961 barriers that, if corrected, may prevent the family from
1962 receiving temporary cash assistance on a regular basis.
1963 Assistance to overcome a barrier to employment is not limited to
1964 cash, but may include vouchers or other in-kind benefits.

1965 (5) The family receiving up-front diversion must sign an
1966 agreement restricting the family from applying for temporary
1967 cash assistance for 3 months, unless an emergency is
1968 demonstrated to the local ~~regional~~ workforce development board.
1969 If a demonstrated emergency forces the family to reapply for
1970 temporary cash assistance within 3 months after receiving a
1971 diversion payment, the diversion payment shall be prorated over
1972 an 8-month period and deducted from any temporary assistance for
1973 which the family is eligible.

1974 Section 31. Subsection (2) of section 445.021, Florida
1975 Statutes, is amended to read:

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1976 445.021 Relocation assistance program.—

1977 (2) The relocation assistance program shall involve five
1978 steps by the local ~~regional~~ workforce development board, in
1979 cooperation with the Department of Children and Families:

1980 (a) A determination that the family is receiving temporary
1981 cash assistance or that all requirements of eligibility for
1982 diversion services would likely be met.

1983 (b) A determination that there is a basis for believing
1984 that relocation will contribute to the ability of the applicant
1985 to achieve self-sufficiency. For example, the applicant:

1986 1. Is unlikely to achieve economic self-sufficiency at the
1987 current community of residence;

1988 2. Has secured a job that provides an increased salary or
1989 improved benefits and that requires relocation to another
1990 community;

1991 3. Has a family support network that will contribute to job
1992 retention in another community;

1993 4. Is determined, pursuant to criteria or procedures
1994 established by the board of directors of CareerSource Florida,
1995 Inc., to be a victim of domestic violence who would experience
1996 reduced probability of further incidents through relocation; or

1997 5. Must relocate in order to receive education or training
1998 that is directly related to the applicant's employment or career
1999 advancement.

2000 (c) Establishment of a relocation plan that includes such
2001 requirements as are necessary to prevent abuse of the benefit
2002 and provisions to protect the safety of victims of domestic
2003 violence and avoid provisions that place them in anticipated
2004 danger. The payment to defray relocation expenses shall be

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2005 determined based on criteria approved by the board of directors
2006 of CareerSource Florida, Inc. Participants in the relocation
2007 program shall be eligible for diversion or transitional
2008 benefits.

2009 (d) A determination, pursuant to criteria adopted by the
2010 board of directors of CareerSource Florida, Inc., that a
2011 community receiving a relocated family has the capacity to
2012 provide needed services and employment opportunities.

2013 (e) Monitoring the relocation.

2014 Section 32. Section 445.022, Florida Statutes, is amended
2015 to read:

2016 445.022 Retention Incentive Training Accounts.—To promote
2017 job retention and to enable upward job advancement into higher
2018 skilled, higher paying employment, the board of directors of
2019 CareerSource Florida, Inc., and the local ~~regional~~ workforce
2020 development boards may assemble a list of programs and courses
2021 offered by postsecondary educational institutions which may be
2022 available to participants who have become employed to promote
2023 job retention and advancement.

2024 (1) The board of directors of CareerSource Florida, Inc.,
2025 may establish Retention Incentive Training Accounts (RITAs) to
2026 use Temporary Assistance to Needy Families (TANF) block grant
2027 funds specifically appropriated for this purpose. RITAs must
2028 complement the Individual Training Account required by the
2029 federal Workforce Innovation and Opportunity ~~Investment~~ Act of
2030 ~~1998~~, Pub. L. No. 113-128 ~~105-220~~.

2031 (2) RITAs may pay for tuition, fees, educational materials,
2032 coaching and mentoring, performance incentives, transportation
2033 to and from courses, child care costs during education courses,

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2034 and other such costs as the local ~~regional~~ workforce development
2035 boards determine are necessary to effect successful job
2036 retention and advancement.

2037 (3) Local ~~Regional~~ workforce development boards shall
2038 retain only those courses that continue to meet their
2039 performance standards as established in their local plan.

2040 (4) Local ~~Regional~~ workforce development boards shall
2041 report annually to the Legislature on the measurable retention
2042 and advancement success of each program provider and the
2043 effectiveness of RITAs, making recommendations for any needed
2044 changes or modifications.

2045 Section 33. Subsections (4) and (5) of section 445.024,
2046 Florida Statutes, are amended to read:

2047 445.024 Work requirements.—

2048 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Local ~~Regional~~
2049 workforce development boards shall require participation in work
2050 activities to the maximum extent possible, subject to federal
2051 and state funding. If funds are projected to be insufficient to
2052 allow full-time work activities by all program participants who
2053 are required to participate in work activities, local ~~regional~~
2054 workforce development boards shall screen participants and
2055 assign priority based on the following:

2056 (a) In accordance with federal requirements, at least one
2057 adult in each two-parent family shall be assigned priority for
2058 full-time work activities.

2059 (b) Among single-parent families, a family that has older
2060 preschool children or school-age children shall be assigned
2061 priority for work activities.

2062 (c) A participant who has access to child care services may

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2063 be assigned priority for work activities.

2064 (d) Priority may be assigned based on the amount of time
2065 remaining until the participant reaches the applicable time
2066 limit for program participation or may be based on requirements
2067 of a case plan.

2068
2069 Local ~~Regional~~ workforce development boards may limit a
2070 participant's weekly work requirement to the minimum required to
2071 meet federal work activity requirements. Local ~~Regional~~
2072 workforce development boards may develop screening and
2073 prioritization procedures based on the allocation of resources,
2074 the availability of community resources, the provision of
2075 supportive services, or the work activity needs of the service
2076 area.

2077 (5) USE OF CONTRACTS.—Local ~~Regional~~ workforce development
2078 boards shall provide work activities, training, and other
2079 services, as appropriate, through contracts. In contracting for
2080 work activities, training, or services, the following applies:

2081 (a) A contract must be performance-based. Payment shall be
2082 tied to performance outcomes that include factors such as, but
2083 not limited to, diversion from cash assistance, job entry, job
2084 entry at a target wage, job retention, and connection to
2085 transition services rather than tied to completion of training
2086 or education or any other phase of the program participation
2087 process.

2088 (b) A contract may include performance-based incentive
2089 payments that may vary according to the extent to which the
2090 participant is more difficult to place. Contract payments may be
2091 weighted proportionally to reflect the extent to which the

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2092 participant has limitations associated with the long-term
2093 receipt of welfare and difficulty in sustaining employment. The
2094 factors may include the extent of prior receipt of welfare, lack
2095 of employment experience, lack of education, lack of job skills,
2096 and other factors determined appropriate by the local ~~regional~~
2097 workforce development board.

2098 (c) Notwithstanding the exemption from the competitive
2099 sealed bid requirements provided in s. 287.057(3)(e) for certain
2100 contractual services, each contract awarded under this chapter
2101 must be awarded on the basis of a competitive sealed bid, except
2102 for a contract with a governmental entity as determined by the
2103 local ~~regional~~ workforce development board.

2104 (d) Local ~~Regional~~ workforce development boards may
2105 contract with commercial, charitable, or religious
2106 organizations. A contract must comply with federal requirements
2107 with respect to nondiscrimination and other requirements that
2108 safeguard the rights of participants. Services may be provided
2109 under contract, certificate, voucher, or other form of
2110 disbursement.

2111 (e) The administrative costs associated with a contract for
2112 services provided under this section may not exceed the
2113 applicable administrative cost ceiling established in federal
2114 law. An agency or entity that is awarded a contract under this
2115 section may not charge more than 7 percent of the value of the
2116 contract for administration unless an exception is approved by
2117 the local ~~regional~~ workforce development board. A list of any
2118 exceptions approved must be submitted to the board of directors
2119 of CareerSource Florida, Inc., for review, and the board may
2120 rescind approval of the exception.

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2121 (f) Local ~~Regional~~ workforce development boards may enter
2122 into contracts to provide short-term work experience for the
2123 chronically unemployed as provided in this section.

2124 (g) A tax-exempt organization under s. 501(c) of the
2125 Internal Revenue Code of 1986 which receives funds under this
2126 chapter must disclose receipt of federal funds on any
2127 advertising, promotional, or other material in accordance with
2128 federal requirements.

2129 Section 34. Section 445.025, Florida Statutes, is amended
2130 to read:

2131 445.025 Other support services.—Support services shall be
2132 provided, if resources permit, to assist participants in
2133 complying with work activity requirements outlined in s.
2134 445.024. If resources do not permit the provision of needed
2135 support services, the local ~~regional~~ workforce development board
2136 may prioritize or otherwise limit provision of support services.
2137 This section does not constitute an entitlement to support
2138 services. Lack of provision of support services may be
2139 considered as a factor in determining whether good cause exists
2140 for failing to comply with work activity requirements but does
2141 not automatically constitute good cause for failing to comply
2142 with work activity requirements, and does not affect any
2143 applicable time limit on the receipt of temporary cash
2144 assistance or the provision of services under chapter 414.
2145 Support services shall include, but need not be limited to:

2146 (1) TRANSPORTATION.—Transportation expenses may be provided
2147 to any participant when the assistance is needed to comply with
2148 work activity requirements or employment requirements, including
2149 transportation to and from a child care provider. Payment may be

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2150 made in cash or tokens in advance or through reimbursement paid
2151 against receipts or invoices. Transportation services may
2152 include, but are not limited to, cooperative arrangements with
2153 the following: public transit providers; community
2154 transportation coordinators designated under chapter 427; school
2155 districts; churches and community centers; donated motor vehicle
2156 programs, van pools, and ridesharing programs; small enterprise
2157 developments and entrepreneurial programs that encourage
2158 participants to become transportation providers; public and
2159 private transportation partnerships; and other innovative
2160 strategies to expand transportation options available to program
2161 participants.

2162 (a) Local ~~Regional~~ workforce development boards may provide
2163 payment for vehicle operational and repair expenses, including
2164 repair expenditures necessary to make a vehicle functional;
2165 vehicle registration fees; driver license fees; and liability
2166 insurance for the vehicle for a period of up to 6 months.
2167 Request for vehicle repairs must be accompanied by an estimate
2168 of the cost prepared by a repair facility registered under s.
2169 559.904.

2170 (b) Transportation disadvantaged funds as defined in
2171 chapter 427 do not include support services funds or funds
2172 appropriated to assist persons eligible under the Workforce
2173 Innovation and Opportunity Act ~~Job Training Partnership Act~~. It
2174 is the intent of the Legislature that local ~~regional~~ workforce
2175 development boards consult with local community transportation
2176 coordinators designated under chapter 427 regarding the
2177 availability and cost of transportation services through the
2178 coordinated transportation system before ~~prior to~~ contracting

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2179 for comparable transportation services outside the coordinated
2180 system.

2181 (2) ANCILLARY EXPENSES.—Ancillary expenses such as books,
2182 tools, clothing, fees, and costs necessary to comply with work
2183 activity requirements or employment requirements may be
2184 provided.

2185 (3) MEDICAL SERVICES.—A family that meets the eligibility
2186 requirements for Medicaid shall receive medical services under
2187 the Medicaid program.

2188 (4) PERSONAL AND FAMILY COUNSELING AND THERAPY.—Counseling
2189 may be provided to participants who have a personal or family
2190 problem or problems caused by substance abuse that is a barrier
2191 to compliance with work activity requirements or employment
2192 requirements. In providing these services, local ~~regional~~
2193 workforce development boards shall use services that are
2194 available in the community at no additional cost. If these
2195 services are not available, local ~~regional~~ workforce development
2196 boards may use support services funds. Personal or family
2197 counseling not available through Medicaid may not be considered
2198 a medical service for purposes of the required statewide
2199 implementation plan or use of federal funds.

2200 Section 35. Subsection (5) of section 445.026, Florida
2201 Statutes, is amended to read:

2202 445.026 Cash assistance severance benefit.—An individual
2203 who meets the criteria listed in this section may choose to
2204 receive a lump-sum payment in lieu of ongoing cash assistance
2205 payments, provided the individual:

2206 (5) Provides employment and earnings information to the
2207 local ~~regional~~ workforce development board, so that the local

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2208 ~~regional~~ workforce development board can ensure that the
2209 family's eligibility for severance benefits can be evaluated.

2210

2211 Such individual may choose to accept a one-time, lump-sum
2212 payment of \$1,000 in lieu of receiving ongoing cash assistance.
2213 Such payment shall only count toward the time limitation for the
2214 month in which the payment is made in lieu of cash assistance. A
2215 participant choosing to accept such payment shall be terminated
2216 from cash assistance. However, eligibility for Medicaid, food
2217 assistance, or child care shall continue, subject to the
2218 eligibility requirements of those programs.

2219 Section 36. Subsections (2) and (4) of section 445.030,
2220 Florida Statutes, are amended to read:

2221 445.030 Transitional education and training.—In order to
2222 assist former recipients of temporary cash assistance who are
2223 working or actively seeking employment in continuing their
2224 training and upgrading their skills, education, or training,
2225 support services may be provided for up to 2 years after the
2226 family is no longer receiving temporary cash assistance. This
2227 section does not constitute an entitlement to transitional
2228 education and training. If funds are not sufficient to provide
2229 services under this section, the board of directors of
2230 CareerSource Florida, Inc., may limit or otherwise prioritize
2231 transitional education and training.

2232 (2) Local ~~Regional~~ workforce development boards may
2233 authorize child care or other support services in addition to
2234 services provided in conjunction with employment. For example, a
2235 participant who is employed full time may receive child care
2236 services related to that employment and may also receive

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2237 additional child care services in conjunction with training to
2238 upgrade the participant's skills.

2239 (4) A local ~~Regional~~ workforce development board may enter
2240 into an agreement with an employer to share the costs relating
2241 to upgrading the skills of participants hired by the employer.
2242 For example, a local ~~regional~~ workforce development board may
2243 agree to provide support services such as transportation or a
2244 wage subsidy in conjunction with training opportunities provided
2245 by the employer.

2246 Section 37. Section 445.031, Florida Statutes, is amended
2247 to read:

2248 445.031 Transitional transportation.—In order to assist
2249 former recipients of temporary cash assistance in maintaining
2250 and sustaining employment or educational opportunities,
2251 transportation may be provided, if funds are available, for up
2252 to 2 years after the participant is no longer in the program.
2253 This does not constitute an entitlement to transitional
2254 transportation. If funds are not sufficient to provide services
2255 under this section, local ~~regional~~ workforce development boards
2256 may limit or otherwise prioritize transportation services.

2257 (1) Transitional transportation must be job or education
2258 related.

2259 (2) Transitional transportation may include expenses
2260 identified in s. 445.025, paid directly or by voucher, as well
2261 as a vehicle valued at not more than \$8,500 if the vehicle is
2262 needed for training, employment, or educational purposes.

2263 Section 38. Subsection (1), paragraph (b) of subsection
2264 (4), and subsection (5) of section 445.048, Florida Statutes,
2265 are amended to read:

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2266 445.048 Passport to Economic Progress program.—

2267 (1) AUTHORIZATION.—Notwithstanding any law to the contrary,

2268 CareerSource Florida, Inc., in conjunction with the Department

2269 of Children and Families and the Department of Economic

2270 Opportunity, shall implement a Passport to Economic Progress

2271 program consistent with ~~the provisions of~~ this section.

2272 CareerSource Florida, Inc., may designate local ~~regional~~

2273 workforce development boards to participate in the program.

2274 Expenses for the program may come from appropriated revenues or

2275 from funds otherwise available to a local ~~regional~~ workforce

2276 development board which may be legally used for such purposes.

2277 CareerSource Florida, Inc., must consult with the applicable

2278 local ~~regional~~ workforce development boards and the applicable

2279 local offices of the Department of Children and Families which

2280 serve the program areas and must encourage community input into

2281 the implementation process.

2282 (4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.—

2283 (b) CareerSource Florida, Inc., in cooperation with the

2284 Department of Children and Families and the Department of

2285 Economic Opportunity, shall offer performance-based incentive

2286 bonuses as a component of the Passport to Economic Progress

2287 program. The bonuses do not represent a program entitlement and

2288 are contingent on achieving specific benchmarks prescribed in

2289 the self-sufficiency plan. If the funds appropriated for this

2290 purpose are insufficient to provide this financial incentive,

2291 the board of directors of CareerSource Florida, Inc., may reduce

2292 or suspend the bonuses in order not to exceed the appropriation

2293 or may direct the local ~~regional~~ boards to use resources

2294 otherwise given to the local workforce development board

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2295 ~~regional workforce~~ to pay such bonuses if such payments comply
2296 with applicable state and federal laws.

2297 (5) EVALUATIONS AND RECOMMENDATIONS.—CareerSource Florida,
2298 Inc., in conjunction with the Department of Children and
2299 Families, the Department of Economic Opportunity, and the local
2300 ~~regional~~ workforce development boards, shall conduct a
2301 comprehensive evaluation of the effectiveness of the program
2302 operated under this section. Evaluations and recommendations for
2303 the program shall be submitted by CareerSource Florida, Inc., as
2304 part of its annual report to the Legislature.

2305 Section 39. Paragraph (b) of subsection (2), paragraph (d)
2306 of subsection (4), and subsections (6) and (7) of section
2307 445.051, Florida Statutes, are amended to read:

2308 445.051 Individual development accounts.—

2309 (2) As used in this section, the term:

2310 (b) "Qualified entity" means:

2311 1. A not-for-profit organization described in s. 501(c)(3)
2312 of the Internal Revenue Code of 1986, as amended, and exempt
2313 from taxation under s. 501(a) of such code; or

2314 2. A state or local government agency acting in cooperation
2315 with an organization described in subparagraph 1. For purposes
2316 of this section, a local ~~regional~~ workforce development board is
2317 a government agency.

2318 (4)

2319 (d) Eligible participants may receive matching funds for
2320 contributions to the individual development account, pursuant to
2321 the strategic plan for workforce development. When not
2322 restricted to the contrary, matching funds may be paid from
2323 state and federal funds under the control of the local ~~regional~~

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2324 workforce development board, from local agencies, or from
2325 private donations.

2326 (6) CareerSource Florida, Inc., shall establish procedures
2327 for local ~~regional~~ workforce development boards to include in
2328 their annual program and financial plan an application to offer
2329 an individual development account program as part of their TANF
2330 allocation. These procedures must include, but need not be
2331 limited to, administrative costs permitted for the fiduciary
2332 organization and policies relative to identifying the match
2333 ratio and limits on the deposits for which the match will be
2334 provided in the application process. CareerSource Florida, Inc.,
2335 shall establish policies and procedures necessary to ensure that
2336 funds held in an individual development account are not
2337 withdrawn except for one or more of the qualified purposes
2338 described in this section.

2339 (7) Fiduciary organizations shall be the local ~~regional~~
2340 workforce development board or other community-based
2341 organizations designated by the local ~~regional~~ workforce
2342 development board to serve as intermediaries between individual
2343 account holders and financial institutions holding accounts.
2344 Responsibilities of such fiduciary organizations may include
2345 marketing participation, soliciting matching contributions,
2346 counseling program participants, and conducting verification and
2347 compliance activities.

2348 Section 40. Paragraph (a) of subsection (1) of section
2349 985.622, Florida Statutes, is amended to read:

2350 985.622 Multiagency plan for career and professional
2351 education (CAPE).—

2352 (1) The Department of Juvenile Justice and the Department

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2353 of Education shall, in consultation with the statewide Workforce
2354 Development Youth Council, school districts, providers, and
2355 others, jointly develop a multiagency plan for career and
2356 professional education (CAPE) that establishes the curriculum,
2357 goals, and outcome measures for CAPE programs in juvenile
2358 justice education programs. The plan must be reviewed annually,
2359 revised as appropriate, and include:

2360 (a) Provisions for maximizing appropriate state and federal
2361 funding sources, including funds under the Workforce Innovation
2362 and Opportunity Act ~~Workforce Investment Act~~ and the Perkins
2363 Act.

2364 Section 41. Paragraph (c) of subsection (4) of section
2365 1002.83, Florida Statutes, is amended to read:

2366 1002.83 Early learning coalitions.—

2367 (4) Each early learning coalition must include the
2368 following member positions; however, in a multicounty coalition,
2369 each ex officio member position may be filled by multiple
2370 nonvoting members but no more than one voting member shall be
2371 seated per member position. If an early learning coalition has
2372 more than one member representing the same entity, only one of
2373 such members may serve as a voting member:

2374 (c) A local ~~regional~~ workforce development board executive
2375 director or his or her permanent designee.

2376 Section 42. Subsections (2) and (3) and paragraph (b) of
2377 subsection (4) of section 1003.491, Florida Statutes, are
2378 amended to read:

2379 1003.491 Florida Career and Professional Education Act.—The
2380 Florida Career and Professional Education Act is created to
2381 provide a statewide planning partnership between the business

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2382 and education communities in order to attract, expand, and
2383 retain targeted, high-value industry and to sustain a strong,
2384 knowledge-based economy.

2385 (2) Each district school board shall develop, in
2386 collaboration with local ~~regional~~ workforce development boards,
2387 economic development agencies, and postsecondary institutions
2388 approved to operate in the state, a strategic 3-year plan to
2389 address and meet local and regional workforce demands. If
2390 involvement of a local ~~regional~~ workforce development board or
2391 an economic development agency in the strategic plan development
2392 is not feasible, the local school board, with the approval of
2393 the Department of Economic Opportunity, shall collaborate with
2394 the most appropriate regional business leadership board. Two or
2395 more school districts may collaborate in the development of the
2396 strategic plan and offer career-themed courses, as defined in s.
2397 1003.493(1)(b), or a career and professional academy as a joint
2398 venture. The strategic plan must describe in detail provisions
2399 for the efficient transportation of students, the maximum use of
2400 shared resources, access to courses aligned to state curriculum
2401 standards through virtual education providers legislatively
2402 authorized to provide part-time instruction to middle school
2403 students, and an objective review of proposed career and
2404 professional academy courses and other career-themed courses to
2405 determine if the courses will lead to the attainment of industry
2406 certifications included on the Industry Certified Funding List
2407 pursuant to rules adopted by the State Board of Education. Each
2408 strategic plan shall be reviewed, updated, and jointly approved
2409 every 3 years by the local school district, local ~~regional~~
2410 workforce development boards, economic development agencies, and

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2411 state-approved postsecondary institutions.

2412 (3) The strategic 3-year plan developed jointly by the
2413 local school district, local ~~regional~~ workforce development
2414 boards, economic development agencies, and state-approved
2415 postsecondary institutions shall be constructed and based on:

2416 (a) Research conducted to objectively determine local and
2417 regional workforce needs for the ensuing 3 years, using labor
2418 projections of the United States Department of Labor and the
2419 Department of Economic Opportunity;

2420 (b) Strategies to develop and implement career academies or
2421 career-themed courses based on those careers determined to be
2422 high-wage, high-skill, and high-demand;

2423 (c) Strategies to provide shared, maximum use of private
2424 sector facilities and personnel;

2425 (d) Strategies that ensure instruction by industry-
2426 certified faculty and standards and strategies to maintain
2427 current industry credentials and for recruiting and retaining
2428 faculty to meet those standards;

2429 (e) Strategies to provide personalized student advisement,
2430 including a parent-participation component, and coordination
2431 with middle grades to promote and support career-themed courses
2432 and education planning as required under s. 1003.4156;

2433 (f) Alignment of requirements for middle school career
2434 planning under s. 1003.4156(1)(e), middle and high school career
2435 and professional academies or career-themed courses leading to
2436 industry certification or postsecondary credit, and high school
2437 graduation requirements;

2438 (g) Provisions to ensure that career-themed courses and
2439 courses offered through career and professional academies are

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2440 academically rigorous, meet or exceed appropriate state-adopted
2441 subject area standards, result in attainment of industry
2442 certification, and, when appropriate, result in postsecondary
2443 credit;

2444 (h) Plans to sustain and improve career-themed courses and
2445 career and professional academies;

2446 (i) Strategies to improve the passage rate for industry
2447 certification examinations if the rate falls below 50 percent;

2448 (j) Strategies to recruit students into career-themed
2449 courses and career and professional academies which include
2450 opportunities for students who have been unsuccessful in
2451 traditional classrooms but who are interested in enrolling in
2452 career-themed courses or a career and professional academy.
2453 School boards shall provide opportunities for students who may
2454 be deemed as potential dropouts to enroll in career-themed
2455 courses or participate in career and professional academies;

2456 (k) Strategies to provide sufficient space within academies
2457 to meet workforce needs and to provide access to all interested
2458 and qualified students;

2459 (l) Strategies to implement career-themed courses or career
2460 and professional academy training that lead to industry
2461 certification in juvenile justice education programs;

2462 (m) Opportunities for high school students to earn weighted
2463 or dual enrollment credit for higher-level career and technical
2464 courses;

2465 (n) Promotion of the benefits of the Gold Seal Bright
2466 Futures Scholarship;

2467 (o) Strategies to ensure the review of district pupil-
2468 progression plans and to amend such plans to include career-

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2469 themed courses and career and professional academy courses and
2470 to include courses that may qualify as substitute courses for
2471 core graduation requirements and those that may be counted as
2472 elective courses;

2473 (p) Strategies to provide professional development for
2474 secondary certified school counselors on the benefits of career
2475 and professional academies and career-themed courses that lead
2476 to industry certification; and

2477 (q) Strategies to redirect appropriated career funding in
2478 secondary and postsecondary institutions to support career
2479 academies and career-themed courses that lead to industry
2480 certification.

2481 (4) The State Board of Education shall establish a process
2482 for the continual and uninterrupted review of newly proposed
2483 core secondary courses and existing courses requested to be
2484 considered as core courses to ensure that sufficient rigor and
2485 relevance is provided for workforce skills and postsecondary
2486 education and aligned to state curriculum standards.

2487 (b) The curriculum review committee shall review newly
2488 proposed core courses electronically. Each proposed core course
2489 shall be approved or denied within 30 days after submission by a
2490 district school board or local ~~regional~~ workforce development
2491 board. All courses approved as core courses for purposes of
2492 middle school promotion and high school graduation shall be
2493 immediately added to the Course Code Directory. Approved core
2494 courses shall also be reviewed and considered for approval for
2495 dual enrollment credit. The Board of Governors and the
2496 Commissioner of Education shall jointly recommend an annual
2497 deadline for approval of new core courses to be included for

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2498 purposes of postsecondary admissions and dual enrollment credit
2499 the following academic year. The State Board of Education shall
2500 establish an appeals process in the event that a proposed course
2501 is denied which shall require a consensus ruling by the
2502 Department of Economic Opportunity and the Commissioner of
2503 Education within 15 days.

2504 Section 43. Paragraph (a) of subsection (3) of section
2505 1003.492, Florida Statutes, is amended to read:

2506 1003.492 Industry-certified career education programs.—

2507 (3) The State Board of Education shall use the expertise of
2508 CareerSource Florida, Inc., and the Department of Agriculture
2509 and Consumer Services to develop and adopt rules pursuant to ss.
2510 120.536(1) and 120.54 for implementing an industry certification
2511 process.

2512 (a) For nonfarm occupations, industry certification must be
2513 based upon the highest available national standards for specific
2514 industry certification to ensure student skill proficiency and
2515 to address emerging labor market and industry trends. A local
2516 ~~regional~~ workforce development board or a school principal may
2517 apply to CareerSource Florida, Inc., to request additions to the
2518 approved list of industry certifications based on high-skill,
2519 high-wage, and high-demand job requirements in the local
2520 ~~regional~~ economy.

2521 Section 44. Subsection (1) and paragraph (d) of subsection
2522 (4) of section 1003.493, Florida Statutes, are amended to read:

2523 1003.493 Career and professional academies and career-
2524 themed courses.—

2525 (1) (a) A "career and professional academy" is a research-
2526 based program that integrates a rigorous academic curriculum

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2527 with an industry-specific curriculum aligned directly to
2528 priority workforce needs established by the local ~~regional~~
2529 workforce development board or the Department of Economic
2530 Opportunity. Career and professional academies shall be offered
2531 by public schools and school districts. The Florida Virtual
2532 School is encouraged to develop and offer rigorous career and
2533 professional courses as appropriate. Students completing career
2534 and professional academy programs must receive a standard high
2535 school diploma, the highest available industry certification,
2536 and opportunities to earn postsecondary credit if the academy
2537 partners with a postsecondary institution approved to operate in
2538 the state.

2539 (b) A "career-themed course" is a course, or a course in a
2540 series of courses, that leads to an industry certification
2541 identified in the CAPE Industry Certification Funding List
2542 pursuant to rules adopted by the State Board of Education.
2543 Career-themed courses have industry-specific curriculum aligned
2544 directly to priority workforce needs established by the local
2545 ~~regional~~ workforce development board or the Department of
2546 Economic Opportunity. School districts shall offer at least two
2547 career-themed courses, and each secondary school is encouraged
2548 to offer at least one career-themed course. The Florida Virtual
2549 School is encouraged to develop and offer rigorous career-themed
2550 courses as appropriate. Students completing a career-themed
2551 course must be provided opportunities to earn postsecondary
2552 credit if the credit for the career-themed course can be
2553 articulated to a postsecondary institution approved to operate
2554 in the state.

2555 (4) Each career and professional academy and secondary

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2556 school providing a career-themed course must:

2557 (d) Provide instruction in careers designated as high-
2558 skill, high-wage, and high-demand by the local ~~regional~~
2559 workforce development board, the chamber of commerce, economic
2560 development agencies, or the Department of Economic Opportunity.

2561 Section 45. Subsection (1) of section 1003.4935, Florida
2562 Statutes, is amended to read:

2563 1003.4935 Middle grades career and professional academy
2564 courses and career-themed courses.—

2565 (1) Beginning with the 2011-2012 school year, each district
2566 school board, in collaboration with local ~~regional~~ workforce
2567 development boards, economic development agencies, and state-
2568 approved postsecondary institutions, shall include plans to
2569 implement a career and professional academy or a career-themed
2570 course, as defined in s. 1003.493(1)(b), in at least one middle
2571 school in the district as part of the strategic 3-year plan
2572 pursuant to s. 1003.491(2). The strategic plan must provide
2573 students the opportunity to transfer from a middle school career
2574 and professional academy or a career-themed course to a high
2575 school career and professional academy or a career-themed course
2576 currently operating within the school district. Students who
2577 complete a middle school career and professional academy or a
2578 career-themed course must have the opportunity to earn an
2579 industry certificate and high school credit and participate in
2580 career planning, job shadowing, and business leadership
2581 development activities.

2582 Section 46. Paragraph (a) of subsection (1) of section
2583 1003.52, Florida Statutes, is amended to read:

2584 1003.52 Educational services in Department of Juvenile

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2585 Justice programs.—

2586 (1) The Department of Education shall serve as the lead
2587 agency for juvenile justice education programs, curriculum,
2588 support services, and resources. To this end, the Department of
2589 Education and the Department of Juvenile Justice shall each
2590 designate a Coordinator for Juvenile Justice Education Programs
2591 to serve as the point of contact for resolving issues not
2592 addressed by district school boards and to provide each
2593 department's participation in the following activities:

2594 (a) Training, collaborating, and coordinating with district
2595 school boards, local ~~regional~~ workforce development boards, and
2596 local youth councils, educational contract providers, and
2597 juvenile justice providers, whether state operated or
2598 contracted.

2599

2600 Annually, a cooperative agreement and plan for juvenile justice
2601 education service enhancement shall be developed between the
2602 Department of Juvenile Justice and the Department of Education
2603 and submitted to the Secretary of Juvenile Justice and the
2604 Commissioner of Education by June 30. The plan shall include, at
2605 a minimum, each agency's role regarding educational program
2606 accountability, technical assistance, training, and coordination
2607 of services.

2608 Section 47. Paragraph (a) of subsection (3) and paragraph
2609 (e) of subsection (4) of section 1004.93, Florida Statutes, are
2610 amended to read:

2611 1004.93 Adult general education.—

2612 (3) (a) Each district school board or Florida College System
2613 institution board of trustees shall negotiate with the local

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2614 ~~regional~~ workforce development board for basic and functional
2615 literacy skills assessments for participants in the welfare
2616 transition employment and training programs. Such assessments
2617 shall be conducted at a site mutually acceptable to the district
2618 school board or Florida College System institution board of
2619 trustees and the local ~~regional~~ workforce development board.

2620 (4)

2621 (e) A district school board or a Florida College System
2622 institution board of trustees may negotiate a contract with the
2623 local ~~regional~~ workforce development board for specialized
2624 services for participants in the welfare transition program,
2625 beyond what is routinely provided for the general public, to be
2626 funded by the local ~~regional~~ workforce development board.

2627 Section 48. Paragraph (b) of subsection (1) of section
2628 1006.261, Florida Statutes, is amended to read:

2629 1006.261 Use of school buses for public purposes.—

2630 (1)

2631 (b) Each district school board may enter into agreements
2632 with local ~~regional~~ workforce development boards for the
2633 provision of transportation services to participants in the
2634 welfare transition program. Agreements must provide for
2635 reimbursement in full or in part for the proportionate share of
2636 fixed and operating costs incurred by the district school board
2637 attributable to the use of buses in accordance with the
2638 agreement.

2639 Section 49. Paragraph (e) of subsection (1) of section
2640 1009.25, Florida Statutes, is amended to read:

2641 1009.25 Fee exemptions.—

2642 (1) The following students are exempt from the payment of

577-02014-16

20167040__

2643 tuition and fees, including lab fees, at a school district that
2644 provides workforce education programs, Florida College System
2645 institution, or state university:

2646 (e) A student enrolled in an employment and training
2647 program under the welfare transition program. The local ~~regional~~
2648 workforce development board shall pay the state university,
2649 Florida College System institution, or school district for costs
2650 incurred for welfare transition program participants.

2651 Section 50. This act shall take effect July 1, 2016.

2652

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: SB 7040

INTRODUCER: Commerce and Tourism Committee

SUBJECT: Federal Workforce Innovation and Opportunity Act

DATE: January 27, 2016

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------------|----------------|------------|---------------------------------------|
| | <u>Little</u> | <u>McKay</u> | | CM Submitted as Committee Bill |
| 1. | <u>Gusky</u> | <u>Miller</u> | <u>ATD</u> | Recommended: Favorable |
| 2. | _____ | _____ | <u>FP</u> | _____ |

I. Summary:

SB 7040 modifies Florida's current program for workforce services in order to implement the federal Workforce Innovation and Opportunity Act (WIOA) of 2014. The federal law requires coordination between core programs in the delivery of workforce services. The four core programs are those under the Adult, Dislocated Worker and Youth Programs, Employment Services under the Wagner-Peyser Employment Act, Vocational Rehabilitation Services, and Adult Education and Literacy Activities.

The bill provides membership guidelines for the state workforce board, CareerSource Florida, Inc. (CareerSource), to include membership representation for each of the core programs and the vice chairperson of Enterprise Florida, Inc. The bill also changes methods of measuring performance accountability and preparing the state plan in order to conform to federal law. The state plan must be based on a 4-year strategy and is required to include operational and strategic elements for the core programs.

The bill requires the Florida Department of Education to enter into a memorandum of understanding with CareerSource in order to ensure compliance with federal law. Local workforce development boards are also required to enter into a memorandum of understanding with each one-stop delivery partner regarding infrastructure costs. The bill grants the Governor authority to establish policy guidelines to allocate infrastructure costs when no agreement can be reached between a local workforce development board and a one-stop delivery partner.

The bill deletes or replaces references to the federal Workforce Investment Act (WIA) of 1998, which has been replaced by the federal Workforce Innovation and Opportunity Act of 2014. The bill also makes technical, grammatical, and stylistic changes due to the repeal of the earlier act.

The WIOA requires each local workforce development board to enter into a memorandum of understanding with each mandatory or optional partner participating in the one-stop delivery

system that details the partner's required contribution to infrastructure costs. To the extent that a partner has not been participating in the one-stop delivery system or if participating, has not been contributing funds to cover infrastructure costs, implementation of the WIOA will increase costs for that entity. The fiscal impact is indeterminate at this time.

CareerSource and the Department of Economic Opportunity will cover any costs to implement the WIOA within existing resources. See Section V for additional fiscal impacts.

The bill has an effective date of July 1, 2016.

II. Present Situation:

Florida's Workforce Development System

The federal Workforce Investment Act of 1998 (WIA) was passed by Congress in an effort to improve the quality of the nation's workforce through implementation of a comprehensive workforce investment system.¹ The WIA required each state to establish an investment board at the state level and to also establish workforce investment boards to represent local service areas.² The WIA also called for the delivery of workforce development services through a system of "one-stop" centers in local communities.³ Some key principles of the WIA were to better integrate workforce services, empower individuals, provide universal access to participants, increase accountability, and improve youth programs.⁴

In response to the WIA, Florida established its current workforce development system under the Workforce Investment Act of 2000.⁵ The act aimed to better connect the state's economic development strategies with its workforce development system and to implement the principles of the federal WIA.⁶

In 2012, Florida's workforce development system was modified by the Regional Workforce Board Accountability Act.⁷ The act, among other things, strengthened financial accountability measures, refined board membership requirements, required board members to submit financial disclosure statements, authorized the Governor to remove a board member or executive for cause, and provided additional standards for the expenditure of training funds. The act also required a single, statewide brand for workforce services be established in order to promote uniformity and increase access to services.⁸

¹ Workforce Investment Act of 1998, 29 U.S.C. § 2801 (1998), *repealed by* Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, H.R. 803, 113th Cong. (July 22, 2014)(codified at 29 U.S.C. § 3101, et seq.).

² *See* 29 U.S.C. § 2821 and 29 U.S.C. § 2832 (1998).

³ *See* 29 U.S.C. § 2841 (1998).

⁴ *See* 29 U.S.C. § 2811 (1998).

⁵ Chapter 2000-165, Laws of Fla.

⁶ *See* s. 445.003, F.S.

⁷ Chapter 2012-29, ss. 1-3, Laws of Fla.

⁸ Prior to the implementation of the statewide brand, each of the 24 regional workforce boards maintained individual names, logos, and branding. *See* s. 445.007(13), F.S. (2013) and CareerSource Florida, Inc., *Statewide Brand Implementation Plan* (October 21, 2013), p.7, available at http://careersourceflorida.com/docking/StatewideBrandImplementationPlan_102113.pdf (last visited Jan. 4, 2016).

In 2014, CareerSource Florida, Inc. (CareerSource), became the statewide brand and established a unified logo for Florida's workforce system.⁹ Under the current workforce development system, the Department of Economic Opportunity (DEO), CareerSource, and 24 regional workforce boards (RWBs) act as partners in administering Florida's comprehensive system for the delivery of workforce strategies, services, and programs.

The Department of Economic Opportunity

The DEO serves as Florida's lead workforce agency.¹⁰ The DEO is responsible for the fiscal and administrative functions of the workforce development system.¹¹ Employment-related services programs are over 96 percent federally funded.¹² The DEO receives and distributes federal funds for employment-related programs to the RWBs.¹³ The DEO is also responsible for financial and performance reports, which are provided to the U.S. Department of Labor (USDOL) and other federal organizations.¹⁴ The DEO provides one-stop program support to the RWBs through guidance, training, and technical assistance.¹⁵ The DEO also monitors the RWBs and one-stop career centers to ensure compliance with federal and state requirements.¹⁶

CareerSource Florida, Inc.

CareerSource Florida, Inc., a not-for-profit corporation, serves as Florida's state-level workforce investment board.¹⁷ CareerSource, is responsible for developing and implementing a 5-year plan for the statewide workforce system¹⁸ and collaborates with the DEO, RWBs, and one-stop career centers to ensure workforce services are consistent with state and local plans.¹⁹ CareerSource, also provides state-level policy, planning, performance evaluation, and oversight of the delivery of workforce services.²⁰

Regional Workforce Boards

Twenty-four RWBs deliver Florida's workforce development services through nearly 100 one-stop career centers.²¹ One-stop career service centers provide Floridians access to available workforce services; including job placement, career counseling, and skills training.²² Collectively, the RWBs serve as Florida's local workforce investment board and operate under a

⁹ Chapter 2015-98, Laws of Fla.

¹⁰ Primarily through the Division of Workforce Services. *See* s. 20.60, F.S.

¹¹ Section 445.009(3)(c), F.S.

¹² Examples of federally funded, employment-related programs include Temporary Assistance to Needy Families, the Wagner-Peyser Act, and the Workforce Investment Act. Data from the Sunset Review Report for the Agency for Workforce Innovation (June 30, 2010) on file with the Commerce and Tourism Committee.

¹³ *See* s. 445.003, F.S.

¹⁴ *See* s. 20.60, F.S.

¹⁵ Section 20.60(4)(c), F.S.

¹⁶ Section 445.007(3), F.S.

¹⁷ Section 445.004(5)(a), F.S.

¹⁸ Section 445.003(2), F.S.

¹⁹ *See* s. 445.004, F.S.

²⁰ *Id.*

²¹ Florida Department of Economic Opportunity, *CareerSource Florida Center Directory*, <http://www.floridajobs.org/onestop/onestopdir/> (last visted Jan. 4, 2016).

²² *See* s. 445.009, F.S.

charter approved by CareerSource.²³ Each RWB develops a local budget and oversees career centers within its region to establish a one-stop delivery system of workforce services.²⁴

Federal Workforce Innovation and Opportunity Act of 2014

In 2014, Congress passed the Workforce Innovation and Opportunity Act (WIOA), which superseded the WIA of 1998.²⁵ The WIOA requires each state to develop a single, unified plan for aligning workforce services by identifying and evaluating core workforce programs.²⁶ In general, the WIOA maintains the one-stop framework of the WIA, and encompasses provisions aimed at streamlining services, easing reporting requirements, and reducing administrative barriers.²⁷ The WIOA officially became effective on July 1, 2015, the first full program year after enactment.²⁸

Core Programs

The WIOA identifies four core programs that must coordinate and complement each other in a manner that ensures job seekers have access to needed resources.²⁹ The core programs are:

- Adult, Dislocated Worker and Youth Programs;
- Employment Services under the Wagner-Peyser Employment Act;
- Vocational Rehabilitation Services; and
- Adult Education and Literacy Activities.

Performance Measures

In an effort to promote transparency and accountability, the WIOA created a single set of common measures to evaluate core programs.³⁰ The WIOA requires performance reports to be provided at the state, local, and provider levels. The performance measures that now apply across all core programs are:

- The percentage of participants in unsubsidized employment during the second and fourth quarters after exit;
- The median earnings of participants during the second quarter after exit;
- The percentage of participants who obtain a postsecondary credential or secondary school diploma within 1 year after exit;
- The achievement of measureable skill gains toward a credential or employment; and
- The effectiveness in serving employers.

State Workforce Development Plan

²³ See ss. 445.007 and 445.004, F.S.

²⁴ Section 445.007(12), F.S.

²⁵ Workforce Innovation and Opportunity Act, 29 U.S.C. § 3101 et seq. (2014).

²⁶ See 29 U.S.C. § 3112(a).

²⁷ See 29 U.S.C. § 3111.

²⁸ However, some provisions, such as those related to state unified planning and common performance accountability do not become effective until 2016. The United States Department of Labor and the United States Department of Education began the process of promulgating rules, publishing proposed rules in April of 2015. The rules are expected to be finalized in January 2016. Until the final rules are published, the law's specific implementation procedures and processes will remain unclear.

²⁹ See 29 U.S.C. § 3102(13).

³⁰ See 29 U.S.C. § 3141.

Using the common performance measures for core programs, the WIOA requires each state to develop and submit a unified state plan based on a 4-year strategy for workforce development.³¹ The state plan must describe an overall strategy for the core programs and how the strategy will meet needs for workers, job seekers, and employers.³² The WIOA also provides an option for states to submit a combined plan that outlines plans for the core programs along with additional workforce programs.³³ The WIOA requires each state to submit a unified or combined plan by March 3, 2016.³⁴

Regional Planning and Local Workforce Development Boards

The WIOA requires states to identify regional planning areas for workforce development strategies.³⁵ Within each area, a local workforce development board must be established.³⁶ Each local workforce development board is required to coordinate planning and service delivery strategies within their area.³⁷ Formulated strategies are then used by the local workforce development board to develop and submit a local plan for the delivery of workforce services.³⁸

One-Stop Career Centers

The WIOA aims to strengthen the one-stop delivery system by requiring each local area to have at least one comprehensive one-stop career center.³⁹ A comprehensive one-stop career center provides physical access to services provided by core partners, as well as other mandatory partners.⁴⁰ The WIOA requires that each partner contributes to the funding of the infrastructure costs of the one-stop delivery system.⁴¹ If the local workforce development board and the one-stop partner fail to reach an agreement regarding infrastructure costs by July 1, 2016, the WIOA requires the Governor to allocate those costs.⁴²

Other Changes

The WIOA touches on a number of additional areas that may change how local boards operate. Some of these changes include:

- Changes in terminology, such as “regional workforce boards” are now called “local workforce development boards”;
- Changes in how funds may be used, including requiring more resources to be directed toward youth workforce activities;
- Changes in the minimum requirements of the state board membership; and
- Allowing greater access to other types of training, such as apprenticeship programs, incumbent worker training, and other customized training.

³¹ See 29 U.S.C. § 3111.

³² See 29 U.S.C. § 3112(b).

³³ See 29 U.S.C. § 3113.

³⁴ See 29 U.S.C. § 3112(c).

³⁵ See 29 U.S.C. § 3121.

³⁶ *Id.*

³⁷ See 29 U.S.C. § 3122.

³⁸ See 29 U.S.C. § 3123.

³⁹ See 29 U.S.C. § 3151.

⁴⁰ Other mandatory partners may include programs under the Older American Act, Welfare-to-Work, Trade Adjustment Assistance, Veterans Employment and Training, Department of Housing and Urban Development, Unemployment Insurance, Perkins Career and Technical Education Act, and the Community Service Block Grant Act. 29 U.S.C. § 3151(b)(2).

⁴¹ See 29 U.S.C. § 3151(c).

⁴² See 29 U.S.C. § 3151(h).

WIOA applied to Florida's Workforce System

Florida's state plan is due to the United States Department of Labor (USDOL) on March 3, 2016.⁴³ The USDOL recommended that state workforce systems take actions to prepare for the full implementation of the law, including engaging with "core programs and other partners to begin strategic planning" and developing transition plans.⁴⁴

Florida's WIOA Task Force

To facilitate the needed preparations and planning, the Florida Legislature created a 20-member task force to develop recommendations to implement the WIOA.⁴⁵ The task force, led by CareerSource, included members from the education, social services, criminal justice, and workforce development sectors. The task force was responsible for preparing recommendations for approval by the Board of Directors of CareerSource. Approved recommendations were submitted as part of a report to the Legislature and the Governor's Office.⁴⁶ CareerSource must implement the recommendations in the state plan required by the WIOA.

III. Effect of Proposed Changes:

SB 7040 makes necessary changes to Florida's existing workforce development laws to conform to the new federal guidelines under the Workforce Innovation and Opportunity Act (WIOA) of 2014. Specifically, the bill updates the language and references that conflict with the WIOA changes to state and local plans and responsibilities, the composition of state and local workforce development boards, timelines, local and regional collaboration, and the one-stop delivery system.

Workforce Innovation and Opportunity Act

Sections 17, 22 – 24, 26, 32, 34, and 40 amend ss. 420.624, 433.1116, 445.003, 445.004, 445.007, 445.022, 445.025, and 985.622, F.S., respectively, to replace references to the Workforce Investment Act (WIA) and regional workforce boards with references to the new federal statute, the WIOA and local workforce development boards.

Local Workforce Development Boards

Sections 1 – 16, 18 – 21, 23, 24, 26 – 39, and 41 – 49 amend ss. 20.60, 212.08, 220.183, 250.10, 288.047, 290.0056, 322.34, 341.052, 414.045, 414.065, 414.085, 414.095, 414.105, 414.106, 414.295, 420.623, 427.013, 427.0155, 427.0157, 433.091, 445.003, 445.004, 445.007, 445.0071,

⁴³ U.S. Department of Labor, Workforce Innovation and Opportunity Act (WIOA) – Key Statutorily – Required Implementation Dates For Programs Administered by The Department of Labor, *available at* <https://www.doleta.gov/wioa/docs/WIOA-Key-Implementation-Dates.pdf> (last visited Jan. 4, 2016).

⁴⁴ U.S. Department of Labor, Employment and Training Administration, *Training and Employment Guidance Letter No. 19-14* (Feb. 19, 2015), *available at* http://wdr.doleta.gov/directives/attach/TEGL/TEGL_19-14.pdf (last visited Jan 4, 2016).

⁴⁵ Chapter 2015-98, Laws of Fla.

⁴⁶ CareerSource Florida, Florida Workforce Innovation and Opportunity Act Implementation Recommendations, *available at* http://careersourceflorida.com/wp-content/uploads/2015/12/151201_CombinedAttachments.pdf (last visited Jan. 4, 2016).

445.009, 445.014, 445.017, 445.021, 445.022, 445.024, 445.025, 445.026, 445.030, 445.031, 445.048, 445.051, 1002.83, 1003.491, 1003.492, 1003.493, 1003.4935, 1003.52, 1004.93, 1006.261, and 1009.25, F.S., respectively, to replace references to regional workforce boards with the new name of local workforce development boards.

State Workforce Development Plan

Section 23 amends s. 445.003, F.S., to ensure the delivery of Florida's workforce services are in compliance with the WIOA. The bill requires implementation of the WIOA through a 4-year plan, rather than a 5-year plan under the WIA, for the delivery of workforce services. The 4-year state plan will detail Florida's goals, objectives, and strategies for preparing an educated and skilled workforce. The bill maintains the requirement that mandatory and optional partners under the one-stop program are involved in designing the state plan. The bill deletes the choice for optional federal partners to integrate into the state plan in order to clarify that both federally mandated and optional federal partners must be fully integrated into the state plan.

The bill deletes the WIA-based references to optional partners and the Incumbent Worker Training (IWT) Program. The bill maintains priority guidelines for grant funding under the IWT Program, but removes certain eligibility requirements for businesses applying to receive grant funding. Businesses that may not have been eligible to receive grant funding under current law may now be eligible to apply for IWT grants. The bill deletes an obsolete provision that granted authority to CareerSource to negotiate and settle outstanding issues with the United States Department of Labor (USDOL) relating to the Job Training Partnership Act of 1982 (JTPA). The JTPA was repealed by the WIA in 1998.

The bill requires CareerSource and the Florida Department of Education to enter into a memorandum of understanding to ensure the state plan complies with the requirements of the WIOA.

Section 24 amends s. 445.004, F.S., to provide membership guidelines for the state workforce board in order to comply with the WIOA. Specifically, the bill requires the board of directors of CareerSource to include the vice-chairperson of Enterprise Florida, Inc., and at least one member representing each of the WIOA partners. Other entities representing programs identified in the WIOA may also have representation on the board of directors as determined necessary by the Governor. The bill also revises performance accountability measures used to gauge performance of state and local workforce delivery services in order to comply with the WIOA. The bill deletes references to the WIA-based, outcome tier method of measuring performance accountability.

Section 25 amends s. 445.006, F.S., to revise the structure and criteria of the state plan. The bill requires the state plan to incorporate strategic and operational planning elements and requires CareerSource to collaborate with state and local partners in developing the state plan for the delivery of workforce services. The bill authorizes the Governor to submit the state plan to the USDOL.

Regional Planning and Local Workforce Development Boards

Sections 26 amends s. 445.007, F.S., to revise membership requirements for local workforce development boards and creates a requirement that CareerSource must establish regional planning areas by March 1, 2018, in order for those areas to prepare regional workforce development plans. In the interim, the 24 local workforce development boards also serve as 24 regional planning areas.

Section 28 amends s. 445.009, F.S., to require each local workforce development board to enter into a memorandum of understanding with each mandatory or optional partner participating in the one-stop delivery program that details the partner's required contribution to infrastructure costs. Pursuant to the WIOA, if the local workforce development board and the one-stop partners are unable to come to an agreement regarding infrastructure costs by July 1, 2016, the costs must be allocated pursuant to a policy established by the Governor.

Effective Date

Section 50 provides that the bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

To the extent that a private organization refers to the Workforce Investment Act (WIA) of 1998 in any literature it produces or websites it maintains, the private organization may incur costs associated with updating the literature or website to reference Florida's modified workforce delivery system under the Workforce Innovation and Opportunity Act (WIOA) of 2014. These costs are indeterminate, but expected to be minimal.

C. Government Sector Impact:

The WIOA requires each local workforce development board to enter into a memorandum of understanding with each mandatory or optional partner participating in the one-stop delivery system that details the partner's required contribution to infrastructure costs. To the extent that a partner has not been participating in the one-stop delivery system or if participating, has not been contributing funds to cover infrastructure costs, implementation of the WIOA will increase costs for that entity.

The fiscal impact is indeterminate at this time.

CareerSource and the Department of Economic Opportunity will cover any costs to implement the WIOA within existing resources.

Governmental organizations that refer to the WIA of 1998 in any literature that it produces or websites it maintains, may incur costs associated with updating the literature or website to reference Florida's modified workforce delivery system under the WIOA of 2014. These costs are indeterminate, but expected to be minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 20.60, 212.08, 220.183, 250.10, 288.047, 290.0056, 322.34, 341.052, 414.045, 414.065, 414.085, 414.095, 414.105, 414.106, 414.295, 420.623, 420.624, 427.013, 427.0155, 427.0157, 433.091, 433.1116, 445.003, 445.004, 445.006, 445.007, 445.0071, 445.009, 445.014, 445.017, 445.021, 445.022, 445.024, 445.025, 445.026, 445.030, 445.031, 445.048, 445.051, 985.622, 1002.83, 1003.491, 1003.492, 1003.493, 1003.4935, 1003.52, 1004.93, 1006.261, and 1009.25.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/28/16

Meeting Date

7040

Bill Number (if applicable)

Topic Federal workforce innovation/opportunity Act.

Amendment Barcode (if applicable)

Name Kelly Mallette

Job Title _____

Address 104 west Jefferson St.

Phone 850 724-3427

Street

Tallahassee, FL 32301

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City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Workforce Development Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: SB 301

Case:

Type:

Caption: Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development Judge:

Started: 1/28/2016 10:00:19 AM

Ends: 1/28/2016 10:56:25 AM

Length: 00:56:07

10:00:23 AM Meeting called to order
10:00:29 AM Sen. Latvala (Chair)
10:01:23 AM SB 1046
10:01:26 AM Sen. Hutson - introduces bill
10:01:42 AM Sen. Latvala - asks what kind of vehicles
10:01:45 AM Sen. Hutson - responds
10:02:11 AM Sen. Latvala - comments
10:02:38 AM Butch Calhoun, Florida Fruit and Vegetable Association (waives in support)
10:02:46 AM Adam Basford, Legislative Affairs Director, Florida Farm Bureau (waives in support)
10:02:59 AM Sen. Hutson - closes on bill
10:03:32 AM SB 522
10:03:36 AM Sen. Soto - introduces bill
10:05:49 AM SB 956
10:06:12 AM Rachel Barnes, Legislative Assistant, Sen. Stargel - introduces bill
10:07:07 AM Sen. Detert - asks for the reason for creation of a special district
10:07:11 AM R. Barnes - responds
10:07:29 AM Sen. Detert - asks if it gives counties more flexibility
10:07:40 AM R. Barnes - responds
10:08:47 AM SB 7040
10:09:05 AM Sen. Detert - introduces bill
10:10:44 AM Kelly Mallette, Florida Workforce Development Association (waives in support)
10:11:00 AM Sen. Detert - closes on bill
10:11:29 AM TAB 5 - Budget Recommendations
10:11:51 AM Sen. Latvala - comments
10:13:19 AM Sen. Diaz de la Portilla - asks to be shown as a yes on SB 1046
10:13:35 AM Phillip Miller, Staff Director, Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development - presents
10:13:50 AM Item 26 - Florida Enterprise Fund
10:14:06 AM Sen. Detert - asks about Deepwater Horizon money
10:14:31 AM P. Miller - responds
10:14:40 AM Sen. Detert - asks about the settlement agreement
10:14:50 AM P. Miller - responds
10:15:10 AM Sen. Detert - asks what happens if the money is not received
10:15:17 AM P. Miller - responds
10:15:25 AM Sen. Brandes - asks about restrictions on those funds
10:15:44 AM P. Miller - responds
10:16:04 AM Sen. Brandes - asks if the money can be used anywhere in the state
10:16:18 AM Sen. Latvala - explains
10:16:56 AM Sen. Brandes - further question
10:17:03 AM Sen. Latvala - responds
10:17:29 AM Sen. Brandes
10:17:35 AM Sen. Latvala
10:17:42 AM Sen. Brandes
10:17:48 AM Sen. Latvala
10:18:04 AM Sen. Gibson - asks about pay-as-you-go versus trust fund
10:18:10 AM Sen. Latvala - responds
10:18:37 AM Sen. Gibson - asks for someone from the Governor's office to explain again
10:19:02 AM Sen. Latvala - responds
10:19:33 AM Sen. Gibson - asks about business incentives
10:20:05 AM P. Miller - responds
10:20:30 AM Items 30 - Visit Florida
10:20:32 AM Item 31 - Visit Florida

10:20:33 AM Sen. Detert - asks why money is in Visit Florida and not in entertainment fund
10:21:00 AM Sen. Latvala - responds
10:21:54 AM Sen. Detert - asks to discuss further after the meeting
10:22:00 AM Sen. Thompson - asks if Visit Florida assumes responsibilities of film commission
10:22:24 AM Sen. Detert - responds
10:22:44 AM Sen. Thompson
10:22:46 AM Sen. Detert
10:22:50 AM P. Miller
10:23:06 AM Item 102 - Affordable Housing Programs
10:23:08 AM Item 103 - State Housing Initiatives Partnership (SHIP) Program
10:23:22 AM Items 117 - Quick Response Training (QRT) Program
10:23:26 AM Item 118 - Quick Response Training (QRT) Program
10:23:30 AM Sen. Detert - asks if Items 102 and 103 have been changed
10:23:38 AM Sen. Latvala - responds
10:24:30 AM Sen. Clemens - further question
10:24:38 AM Sen. Latvala - responds
10:24:49 AM P. Miller
10:24:54 AM Item 140 - Replacement of Pursuit Vehicles
10:25:02 AM Item 154 - Enterprise Data Infrastructure
10:25:12 AM Item 155 - Motorist Modernization
10:25:15 AM Item 162 - Florida Highway Patrol Academy Driving Range
10:25:28 AM Item 181 - Forward March Program
10:25:31 AM Item 182 - About Face Program
10:25:36 AM Item 187 - Armory Revitalization
10:25:45 AM Item 190 - Facilities Security Enhancement
10:25:49 AM Sen. Latvala - comments on Items 181 and 182 money to be recurring
10:26:12 AM Sen. Gibson - comments
10:26:30 AM Sen. Clemens
10:26:47 AM P. Miller
10:26:48 AM Item 215 - Cultural and Museum General Support Grants
10:26:55 AM Item 219 - Culture Builds Florida
10:27:07 AM Item 223 - Cultural Endowment Grant Program
10:27:16 AM Item 224 - Library Cooperative Grant Program
10:27:23 AM Sen. Clemens - comments to increase funding to libraries
10:27:50 AM Sen. Gibson - asks about Item 225
10:28:09 AM Sen. Clemens - responds
10:28:31 AM P. Miller - responds
10:28:37 AM Sen. Gibson - comments to increase funding to libraries
10:29:14 AM P. Miller
10:29:19 AM Item 226 - Historic Preservation Small Matching Grants
10:29:24 AM Item 231 - Library Construction Grants
10:29:32 AM Item 233 - Cultural Facilities Program Grants
10:29:47 AM Item 245 - Historic Preservation Grants
10:30:06 AM Item 284 - Transportation Work Program Integration Initiative
10:30:16 AM Item 297 - Additional Transportation Disadvantaged Program
10:30:40 AM Sen. Gibson - comments in support
10:32:07 AM P. Miller
10:32:36 AM Item 404 - Statewide Emergency Alert and Notification System
10:32:47 AM Item 407 - Open Federally Declared Disasters
10:32:48 AM Item 408 - Open Federally Declared Disasters
10:33:03 AM Sen. Gibson - asks about minority participation in on-the-job training
10:34:22 AM Greg Patterson, Budget Officer, Dept. of Transportation - responds
10:34:33 AM Sen. Gibson
10:35:02 AM Sen. Clemens - makes a motion for Item 225, to increase funding to \$1 million
10:35:16 AM Sen. Latvala (Chair)
10:35:32 AM Sen. Clemens
10:35:50 AM Sen. Latvala
10:36:03 AM Sen. Brandes - comments on film incentives
10:36:27 AM Sen. Latvala - responds
10:37:00 AM Sen. Clemens - motion to allow staff to make necessary technical corrections and conforming changes
10:37:19 AM Sen. Detert - asks about a final vote
10:37:23 AM Sen. Latvala - responds

10:37:58 AM Sen. Gibson - asks about inclusion of minority vendors regarding Visit Florida
10:38:25 AM Sen. Latvala - asks if Sen. Gibson has spoken to Visit Florida
10:38:29 AM Sen. Gibson - responds
10:38:35 AM Sen. Latvala
10:38:56 AM Suggested Proviso Language
10:39:10 AM P. Miller - presents
10:42:10 AM Kristin Gusky, Legislative Analyst, Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development - comments
10:42:13 AM P. Miller
10:42:55 AM K. Gusky - comments
10:43:10 AM P. Miller
10:44:33 AM K. Gusky - comments
10:44:39 AM P. Miller
10:45:29 AM K. Gusky - comments
10:45:41 AM P. Miller
10:47:56 AM K. Gusky - comments
10:47:59 AM P. Miller
10:50:48 AM Sen. Gibson - asks about funding set-up regarding 2223
10:51:29 AM Sen. Latvala - responds
10:51:39 AM Sen. Gibson
10:51:52 AM Implementing Bill Language
10:51:54 AM P. Miller - presents
10:53:30 AM Sen. Latvala - asks if 54 has been changed relative to last year
10:53:37 AM P. Miller
10:53:55 AM Sen. Latvala - asks about Keys issue
10:54:05 AM Sen. Gibson - asks about pay-as-you-go versus reserve
10:54:28 AM Sen. Latvala - responds
10:54:58 AM Sen. Gibson
10:55:05 AM Sen. Latvala
10:55:39 AM Sen. Gibson - asks for someone from the Governor's office to meet with her after the meeting to discuss
10:55:51 AM Sen. Latvala
10:56:19 AM Meeting adjourned



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Higher Education, *Vice Chair*
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Communications, Energy, and Public Utilities
Fiscal Policy
Military and Veterans Affairs, Space, and
Domestic Security
Regulated Industries

SENATOR MARIA LORTS SACHS

Deputy Democratic Whip
34th District

January 27, 2016

The Honorable Jack Latvala
408 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chairman Latvala:

Please excuse my absence from the Appropriations Subcommittee on Transportation, Tourism, and Economic Development tomorrow January 28th, 2016. I have a prior commitment in my district.

Thank you for your consideration.

Sincerely,

Senator Maria Sachs

CC: PHILLIP MILLER

SENATE APPROPRIATIONS
RECEIVED
16 JAN 28 AM 8:28
STAFF DIR. STAFF

REPLY TO:
 Delray Beach City Hall, 100 NW 1st Avenue, Delray Beach, Florida 33444 (561) 279-1427 FAX: (561) 279-1429
 216 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5034

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/28/16

Meeting Date

Bill Number (if applicable)

Topic FDOT Budget

Amendment Barcode (if applicable)

Name Greg Patterson

Job Title Budget Officer

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Department of Transportation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.