

Tab 1	SB 286 by Rouson (CO-INTRODUCERS) Rodriguez, Campbell ; (Similar to H 00067) Florida Slavery Memorial
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Tab 2	SB 648 by Baxley ; (Identical to H 01437) Employment Services for Persons with Disabilities
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON GENERAL
GOVERNMENT
Senator Simmons, Chair
Senator Bean, Vice Chair

MEETING DATE: Wednesday, January 10, 2018
TIME: 4:00—5:30 p.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Simmons, Chair; Senator Bean, Vice Chair; Senators Broxson, Campbell, Gainer, Garcia, Mayfield, Powell, Rodriguez, Taddeo, and Torres

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 286 Rouson (Similar H 67)	Florida Slavery Memorial; Establishing the Florida Slavery Memorial; providing for administration of the memorial by the Department of Management Services; directing the department to develop a specified plan for the design, placement, and cost of the memorial and submit the plan to the Governor and Legislature, etc. GO 12/05/2017 Favorable AGG 01/10/2018 Favorable AP	Favorable Yeas 11 Nays 0
2	SB 648 Baxley (Identical H 1437)	Employment Services for Persons with Disabilities; Specifying that participants in certain disabled persons' work experience activities are considered state employees for workers' compensation purposes, etc. GO 12/05/2017 Favorable AGG 01/10/2018 Favorable AP	Favorable Yeas 11 Nays 0
3	Update from the Department of Management Services on the Statewide Law Enforcement Radio System (SLERS)		Presented
4	Update from the Department of Management Services on the FirstNet (First Responder Network Authority) Decision		Presented
Other Related Meeting Documents			

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 General Government

BILL: SB 286

INTRODUCER: Senator Rouson

SUBJECT: Florida Slavery Memorial

DATE: January 9, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Caldwell</u>	<u>GO</u>	Favorable
2.	<u>Davis</u>	<u>Betta</u>	<u>AGG</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 286 establishes the Florida Slavery Memorial. The Capitol Complex has on its grounds various memorials and monuments; however, no memorial or monument concerning slavery currently exists within the Capitol Complex.

The bill requires the Department of Management Services (DMS) to administer the memorial. The DMS is required to develop a plan for the design, placement, and cost of the memorial. The plan must include the designation of an appropriate public area for the memorial on the premises of the Capitol Complex, not including the State Capital Circle Office Complex. The DMS must consider the recommendations of the Florida Historical Commission and must coordinate with the Division of Historical Resources in developing the plan.

Additionally, by November 1, 2018, the DMS must submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The DMS will incur indeterminate costs to implement its responsibilities under the bill.

II. Present Situation:

Managing Agency for the Capitol Center

Section 272.03(1), F.S., provides that the Capitol Center¹ is under the general control and supervision of the DMS,² which includes the management and maintenance of both the grounds and buildings.³ Additionally, the DMS has the authority to provide for the establishment of

¹ Section 272.12, F.S., describes the Tallahassee area bounded by Martin Luther King, Jr. Boulevard, College Avenue, Franklin Boulevard, East Jefferson Street, and the Seaboard Coastline Railway right-of-way as the Capitol Center.

² Section 272.03, F.S.

³ Section 272.09, F.S.

parks, walkways, and parkways on the grounds of the Capitol Center.⁴ This responsibility has historically included assistance in establishing and maintaining public memorials throughout the Capitol Center, including project management oversight of the design and construction of memorials.⁵ After an entity is assigned a designated space within the Capitol Center for an exhibit, the entity is the manager of the exhibit's content and display, in consultation with the DMS.

Capitol Complex Monuments

The Capitol Complex includes that portion of Tallahassee, Leon County, Florida, commonly referred to as the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, the Holland Building, and the curtilage of each, including the state-owned lands and public streets adjacent thereto within an area bounded by and including Monroe Street, Jefferson Street, Duval Street, and Gaines Street. The term also includes the State Capital Circle Office Complex located in Leon County, Florida.⁶

A monument⁷ may not be constructed or placed on the premises of the Capitol Complex unless authorized by general law and unless the design and placement of the monument is approved by the DMS after considering the recommendations of the Florida Historical Commission.⁸ The DMS must coordinate with the Division of Historical Resources of the Department of State regarding a monument's design and placement.⁹ In addition, the DMS, in consultation with the Florida Historical Commission, must set aside an area of the Capitol Complex to be dedicated as a memorial garden for the placement of authorized monuments.¹⁰

Chapter 265, F.S., recognizes various memorials and monuments for placement both inside and outside at the downtown Capitol Complex. To date, the Legislature has approved the following memorials:

- Florida Women's Hall of Fame;¹¹
- Florida Medal of Honor Wall;¹²
- Florida Veterans' Hall of Fame;¹³
- POW-MIA Chair of Honor Memorial;¹⁴
- Florida Veterans' Walk of Honor and Florida Veterans' Memorial Garden;¹⁵

⁴ Section 272.07, F.S.

⁵ Department of Management Services, *Senate Bill 286 Agency Legislative Bill Analysis* (November 29, 2017) (on file with the Appropriations Subcommittee on General Government).

⁶ Section 281.01, F.S.

⁷ Section 265.111(1), F.S., defines the term "monument" to mean a permanent structure such as a marker, statue, sculpture, plaque, or other artifice, including living plant material, placed in remembrance or recognition of significant person or event in Florida history. The term does not include any "Official Florida Historical Marker" as defined in s. 267.021, F.S.

⁸ Section 265.111(2), F.S. One of the duties of the Florida Historical Commission is to provide recommendations to the department on the design and placement of monuments authorized in general law. (s. 267.0612(9), F.S.)

⁹ *Id.*

¹⁰ Section 265.111(3), F.S.

¹¹ Section 265.001, F.S.

¹² Section 265.002, F.S.

¹³ Section 265.003, F.S.

¹⁴ Section 265.00301, F.S.

¹⁵ Section 265.0031, F.S.

- Florida Tourism Hall of Fame;¹⁶
- Florida Law Enforcement Officers' Hall of Fame;¹⁷
- Florida Holocaust Memorial;¹⁸ and
- Arthur G. Dozier School for Boys Memorial.¹⁹

Additionally, the Legislature approved a memorial garden to house approved monuments at the downtown Capitol Complex. One of the monuments designated for placement in the memorial garden is a monument in remembrance of the 241 members of the United States Air Forces who died on October 23, 1983, in Beirut, Lebanon.²⁰

Division of Historical Resources

The Division of Historical Resources, which is established within the Department of State,²¹ in part, is responsible for:

- Developing a comprehensive statewide historic preservation plan.
- Directing and conducting a comprehensive statewide survey of historic resources and maintaining an inventory of such resources.
- Ensuring that historic resources are taken into consideration at all levels of planning and development.
- Providing public information, education, and technical assistance relating to historic preservation programs.²²

Florida Historical Commission

The Florida Historical Commission (commission) was established in 2001 to enhance public participation and involvement in the preservation and protection of the state's historic and archaeological sites and properties.²³ The commission is part of the Department of State and is tasked with advising and assisting the Division of Historical Resources in carrying out its programs, duties, and responsibilities.²⁴

The commission is composed of 11 members: seven are appointed by the Governor in consultation with the Secretary of State, two by the President of the Senate, and two by the Speaker of the House of Representatives.²⁵ The commission must include:

- A licensed architect with expertise in historic preservation and architectural history;
- A professional historian in the field of American history;
- A professional architectural historian;
- An archaeologist specializing in the field of prehistory;

¹⁶ Section 265.004, F.S.

¹⁷ Section 265.0041, F.S.

¹⁸ Section 265.005, F.S.

¹⁹ Section 265.007, F.S.

²⁰ Section 265.111(3), F.S.

²¹ Section 20.10(2)(b), F.S.

²² Section 267.031(5), F.S.

²³ Chapter 2001-199, L.O.F.; codified as s. 267.0612, F.S.

²⁴ Section 267.0612, F.S.

²⁵ Section 267.0612(1)(a)1., F.S.

- An archaeologist specializing in the historic period; and
- Representatives of the public with demonstrated interest in the preservation of Florida's historical and archaeological heritage.²⁶

The commission must provide assistance, advice, and recommendations to the Division of Historical Resources.²⁷ Current law further requires the commission to provide recommendations to the DMS on the design and placement of monuments authorized by general law to be placed on the premises of the Capitol Complex.²⁸

III. Effect of Proposed Changes:

This bill establishes a Florida Slavery Memorial to recognize the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the American Colonies and to honor the nameless and forgotten men, women, and children who have gone unrecognized for their undeniable and weighty contributions to the United States. It requires the DMS to administer the memorial.

The bill requires the DMS to develop a plan for the design, placement, and cost of the memorial. The plan must include the designation of an appropriate public area for the memorial on the premises of the Capitol Complex, not including the State Capital Circle Office Complex. The DMS must consider the recommendations of the commission and must coordinate with the Division of Historical Resources in developing the plan. Additionally, by November 1, 2018, the DMS must submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require counties or municipalities to spend funds or take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenues in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²⁶ *Id.*

²⁷ *See* s. 267.0612(6), F.S.

²⁸ Section 267.0612(9), F.S.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The DMS will incur indeterminate costs to develop a plan for the design, placement, and cost of the memorial. According to the DMS, costs associated with developing the plan can be handled within existing resources.²⁹

VI. Technical Deficiencies:

None.

VII. Related Issues:

The cost to construct the memorial is indeterminate, as the design for the memorial has not been completed. As a comparison, the Legislature recently appropriated \$250,000 for the Fallen Firefighter Memorial.³⁰ In addition, several other statutorily authorized Capitol Complex memorials are administered by direct-support organizations without funding from the state.³¹

VIII. Statutes Affected:

This bill creates section 265.006, Florida Statutes.

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.

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

²⁹ Department of Management Services, *Senate Bill 286 Agency Legislative Bill Analysis* (November 29, 2017) (on file with the Appropriations Subcommittee on General Government).

³⁰ Specific Appropriation Item 2739A, Ch. 2014-51, L.O.F.

³¹ Among the statutorily authorized Capitol Complex memorials that are administered without state funds are the Florida Veterans' Walk of Honor (s. 265.0031, F.S.); the Florida Veterans' Memorial Garden (s. 265.0031, F.S.); and the POW-MIA Chair of Honor Memorial (s. 265.00301, F.S.).

By Senator Rouson

19-00371A-18

2018286__

1 A bill to be entitled
 2 An act relating to the Florida Slavery Memorial;
 3 creating s. 265.006, F.S.; providing legislative
 4 intent; establishing the Florida Slavery Memorial;
 5 providing for administration of the memorial by the
 6 Department of Management Services; directing the
 7 department to develop a specified plan for the design,
 8 placement, and cost of the memorial and submit the
 9 plan to the Governor and Legislature; providing an
 10 effective date.
 11
 12 Be It Enacted by the Legislature of the State of Florida:
 13
 14 Section 1. Section 265.006, Florida Statutes, is created to
 15 read:
 16 265.006 Florida Slavery Memorial.—
 17 (1) It is the intent of the Legislature to recognize the
 18 fundamental injustice, cruelty, brutality, and inhumanity of
 19 slavery in the United States and the American Colonies and to
 20 honor the nameless and forgotten men, women, and children who
 21 have gone unrecognized for their undeniable and weighty
 22 contributions to the United States.
 23 (2) There is established the Florida Slavery Memorial.
 24 (a) The memorial is administered by the Department of
 25 Management Services.
 26 (b) The Department of Management Services shall develop a
 27 plan for the design, placement, and cost of the memorial. The
 28 plan shall include the designation of an appropriate public area
 29 for the memorial on the premises of the Capitol Complex, as

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

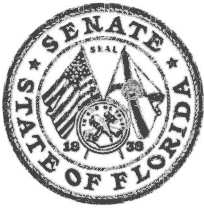
19-00371A-18

2018286__

30 defined in s. 281.01, not including the State Capital Circle
 31 Office Complex. The department shall consider the
 32 recommendations of the Florida Historical Commission as required
 33 pursuant to ss. 265.111 and 267.0612(9) and shall coordinate
 34 with the Division of Historical Resources of the Department of
 35 State in developing the plan. By November 1, 2018, the
 36 department shall submit the plan to the Governor, the President
 37 of the Senate, and the Speaker of the House of Representatives.
 38 Section 2. This act shall take effect July 1, 2018.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

Committee Agenda Request

SENATE APPROPRIATIONS
RECEIVED

17 DEC -5 PM 1:35
SENT TO: CHAIRMAN _____
STAFF DIR. _____ STAFF _____

To: Senator David Simmons, Chair
Appropriations Subcommittee on General Government

Subject: Committee Agenda Request

Date: December 5, 2017

I respectfully request that **Senate Bill # 286**, relating to the Florida Slavery Memorial, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in cursive script that reads "Darryl Rouson".

Senator Darryl Rouson
Florida Senate, District 19

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 General Government

BILL: SB 648

INTRODUCER: Senator Baxley

SUBJECT: Employment Services for Persons with Disabilities

DATE: January 9, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Peacock</u>	<u>Caldwell</u>	<u>GO</u>	Favorable
2.	<u>Sanders</u>	<u>Betta</u>	<u>AGG</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 648 provides that participants in adult or youth work experience programs operated by the Division of Blind Services and the Division of Vocational Rehabilitation, within the Department of Education, are considered state employees for workers' compensation purposes.

The Department of Financial Services (DFS) expects to incur costs of \$166,000 annually relating to workers' compensation insurance coverage for blind and vocational training participants. In addition, the Division of Risk Management (DRM) will experience an increase in litigation, primarily involving claims for benefits.¹ The DFS indicates the workload and other costs associated with the increased litigation can be absorbed within existing resources.²

The bill is effective July 1, 2018.

II. Present Situation:

Division of Blind Services

The Division of Blind Services (DBS) is housed within the Department of Education (DOE).³ The purpose of the DBS is to ensure the greatest possible efficiency and effectiveness of services to individuals who are blind.⁴ It is the intent of the Legislature to establish a coordinated program of services which are available throughout Florida to such individuals.⁵ The program must be

¹ The Department of Financial Services, *Senate Bill 648 Fiscal Analysis* (November 7, 2017) (on file with the Senate Appropriations Subcommittee on General Government).

² Email from BG Murphy, Legislative Affairs Director, The Department of Financial Services, to Michelle Sanders, Legislative Analyst, Florida Senate Appropriations Subcommittee on General Government (Jan. 3, 2018) (on file with the Senate Appropriations Subcommittee on General Government).

³ Section 20.15(3)(e), F.S.

⁴ Section 413.011(3), F.S.

⁵ Section 413.011(2), F.S.

designed to maximize employment opportunities for individuals who are blind and to increase their independence and self-sufficiency.⁶ The DBS's program of services include blind babies program, children's program, transition services, independent living program, vocational rehabilitative program, employer services, business enterprises program, rehabilitation center for the blind and visually impaired, and braille and talking books library.⁷

The Rehabilitative Council for the Blind⁸ (RCB) is an advisory council⁹ responsible for assisting the DBS in the planning and development of statewide vocational rehabilitation programs and services pursuant to the Rehabilitative Act of 1973,¹⁰ as amended, to recommend improvements to such programs and services, and to perform specified functions.

Division of Vocational Rehabilitation

The Division of Vocational Rehabilitation (division) located within the DOE¹¹ is designated as the administrative unit¹² for the purposes of complying with the Rehabilitation Act of 1973,¹³ as amended. Under Florida law, an individual with a disability¹⁴ is eligible for vocational rehabilitative (VR) services if the person requires VR services to prepare for, engage in, or retain gainful employment.¹⁵ The division is responsible for determining eligibility of an individual for VR services.¹⁶ The division is also responsible for maintaining an internal system of quality assurance and monitoring compliance with state and federal laws, rules, and regulations.¹⁷

The Florida Rehabilitation Council (council) is responsible for assisting the division in the planning and development of statewide rehabilitation programs and services, recommending improvements to such programs and services, and performing specified functions.¹⁸ The council is responsible for performing functions such as developing and reviewing state goals and priorities in accordance with federal law and evaluating VR program effectiveness.¹⁹

⁶ *Id.*

⁷ See Florida Division of Blind Services, *About Blind Services*, <http://dbs.myflorida.com/Information/index.html> (last visited Jan. 2, 2018).

⁸ Section 413.011(8), F.S. Members of the council are appointed by the Governor with the majority being blind or visually impaired. The council membership must include at least 13 members. Also, see Florida Division of Blind Services, *Rehabilitation Council*, <http://dbs.myflorida.com/Rehab-Council/index.html> (last visited Jan. 2, 2018).

⁹ Section 20.03(7), F.S., defines the term "advisory council" as an advisory body created by specific statutory enactment and appointed to function on a continuing basis for the study of problems arising in a specified functional area of state government and to provide recommendations and policy alternatives.

¹⁰ 29 U.S.C. s. 701(b).

¹¹ Section 20.15(3)(d), F.S.

¹² Section 413.202, F.S.

¹³ See *supra* note 8.

¹⁴ Section 413.20(7), F.S., defines "disability" as a physical or mental impairment that constitutes or results in a substantial impediment to employment.

¹⁵ Section 413.30(1), F.S.

¹⁶ Section 413.30(4), F.S.

¹⁷ Section 413.207(1), F.S.

¹⁸ Section 413.405, F.S. Members of the council are appointed by the Governor. The council membership must include at least 15 members but no more than 25 at a time.

¹⁹ Section 413.405(9)(b), F.S.

Worker's Compensation

Workers' compensation is a form of insurance designed to provide wage replacement and medical benefits for employees who are injured in the course of employment, in exchange for giving up the right to sue the employer for negligence. In Florida, workers' compensation is governed by ch. 440, F.S., the "Workers' Compensation Law." The law prescribes coverage requirements, medical and indemnity benefits, the rights and responsibilities of employers, injured employees, medical providers, and carriers, as well as procedures for dispute resolution.

Generally, employers are required to provide medical and indemnity benefits to a worker who is injured due to an accident arising out of and during the course of employment.²⁰ For such injuries, an employer is responsible for providing medical treatment,²¹ and compensation in the event of employee disability²² or death.²³ Specific employer coverage requirements are based on the type of industry, number of employees, and entity organization.²⁴

State Risk Management Program

The Division of Risk Management (DRM)²⁵ located within the DFS is responsible for ensuring that state agencies and universities participating in the state's self-insurance program receive quality coverage for workers' compensation, general liability, federal civil rights, auto liability, and property insurance at reasonable rates. The DRM's operations and the state's insurance coverage are funded by annual agency assessments, which are deposited into the State Risk Management Trust Fund. Agency premiums are based on loss experience, exposure, and a prorated share of the DRM's operating budget. Projected costs are derived from actuarial studies of the DRM's cash flow needs for claims and program expenses.²⁶

The DRM is comprised of three Bureaus: Risk Financing and Loss Prevention, State Employee Workers' Compensation Claims, and State Liability and Property Claims. The Bureau of Risk Financing and Loss Prevention provides administrative support to the DRM, including the cash management for the DRM's annual budget, calculation of casualty and property premiums for the state's agencies and universities, monitoring the DRM's contracts, and providing data management and IT support. The Bureau of State Employee Workers' Compensation Claims is responsible for the administration of all workers' compensation claims filed by state and university employees and volunteers who are injured on the job. The Bureau of State Liability and Property Claims is responsible for the investigation and resolution of liability and property claims involving or against state agencies and universities.²⁷

²⁰ Section 440.09(1), F.S.

²¹ Section 440.13, F.S.

²² Section 440.15, F.S.

²³ Section 440.16, F.S.

²⁴ Division of Workers' Compensation, *Coverage Requirements*, <https://www.myfloridacfo.com/division/wc/Employer/coverage.htm> (last visited on Jan. 2, 2018).

²⁵ Section 20.121(2)(h), F.S.

²⁶ See Division of Risk Management, Department of Financial Services, Fiscal Year 2016 Annual Report, <https://www.myfloridacfo.com/Division/Risk/documents/2015-2016Report.pdf> (last visited on Jan. 2, 2018).

²⁷ *Id.*

The State Risk Management Trust Fund has a projected deficit of \$18.8 million based upon the December 21, 2017 Self-Insurance Estimating Conference.²⁸ For estimating conference purposes, deficits are assumed to be dealt with during session to begin the following year with a zero balance.

III. Effect of Proposed Changes:

Section 1 creates s. 413.015, F.S., to require participants in an adult or youth work experience activity administered under the Division of Blind Services be deemed an employee of the state for purposes of workers' compensation coverage.

Section 2 creates s. 413.209, F.S., to require participants in an adult or youth work experience activity administered under the Division of Vocational Rehabilitation be deemed an employee of the state for purposes of workers' compensation coverage.

Section 3 provides the bill is effective July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

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:

A private sector entity who employs training participants may experience cost savings as a result of not having to provide workers' compensation coverage for those participants.

²⁸ See December 21, 2017, Self-Insurance Estimating Conference.
<http://edr.state.fl.us/Content/conferences/riskmanagement/riskmanagementresults.pdf>

C. Government Sector Impact:

According to the DFS, the DRM expects to incur additional claim costs for covering blind and vocational training participants.²⁹ The DRM currently covers participants for medical benefits only who are in the Department of Economic Opportunity (DEO) training programs. Based on claim costs for DEO training programs, DFS expects that annual medical claim costs of approximately \$128,000 would be incurred for covering blind and vocational training participants. This dollar amount is based on five years of claim experience in the DEO program, does not include ultimate developed costs, and is based on DOE's estimate of 966 additional participants for these programs.

DFS states that such costs do not include indemnity payments. Unlike DEO participants, the participants in the blind and vocational programs are eligible for indemnity payments. Based on the DRM's aggregate claim data, approximately eight percent of claims could result in indemnity payments.

Although injury severity will influence the duration of indemnity payments, DFS anticipates that adding 966 training participants will result in 23 additional claims per year. Based on the DRM's aggregate claim data, eight percent (two) of the anticipated claims could result in indemnity payments. The National Council on Compensation Insurance estimates the average Florida indemnity cost per indemnity claim is \$19,000. The DRM estimates \$38,000 (\$19,000 x 2) in indemnity payments will arise yearly for the life of claims. However, indemnity payments could greatly exceed \$19,000 for the life of the claim if a training participant is severely injured and the injury results in the receipt of permanent total benefits.³⁰

The DFS anticipates the DRM will experience an increase in litigation, primarily involving claims for benefits.³¹ The DFS indicates this increase can be absorbed within existing resources³² appropriated by the Legislature. The projected deficit is not affected since the anticipated cost can be absorbed within existing appropriations.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

²⁹ 2018 Agency Legislative Bill Analysis from the Department of Financial Services, November 7, 2017, on file in the office of the Senate Committee on Governmental Oversight and Accountability.

³⁰ The Department of Financial Services, *Senate Bill 648 Fiscal Analysis* (November 7, 2017) (on file with the Senate Appropriations Subcommittee on General Government).

³¹ *Id* at p. 2.

³² Email from BG Murphy, Legislative Affairs Director, The Department of Financial Services, to Michelle Sanders, Legislative Analyst, Florida Senate Appropriations Subcommittee on General Government (Jan. 3, 2018) (on file with the Senate Appropriations Subcommittee on General Government).

VIII. Statutes Affected:

This bill creates sections 413.015 and 413.209 of the Florida Statutes.

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.

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

By Senator Baxley

12-00491A-18

2018648__

1 A bill to be entitled

2 An act relating to employment services for persons
3 with disabilities; creating ss. 413.015 and 413.209,
4 F.S.; specifying that participants in certain disabled
5 persons' work experience activities are considered
6 state employees for workers' compensation purposes;
7 providing an effective date.
8

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

10 Section 1. Section 413.015, Florida Statutes, is created to
11 read:

12 413.015 Workers' compensation coverage for program
13 participants.-A participant in an adult or youth work experience
14 activity administered under this part shall be deemed an
15 employee of the state for purposes of workers' compensation
16 coverage.
17

18 Section 2. Section 413.209, Florida Statutes, is created to
19 read:

20 413.209 Workers' compensation coverage for program
21 participants.-A participant in an adult or youth work experience
22 activity administered under this part shall be deemed an
23 employee of the state for purposes of workers' compensation
24 coverage.
25

Section 3. This act shall take effect July 1, 2018.

THE FLORIDA SENATE



SENATOR DENNIS BAXLEY
12th District

COMMITTEES:
Governmental Oversight and Accountability, *Chair*
Criminal Justice, *Vice Chair*
Appropriations
Appropriations Subcommittee on Criminal and
Civil Justice
Appropriations Subcommittee on Health and
Human Services
Agriculture
Transportation

SELECT COMMITTEE:
Joint Select Committee on Collective Bargaining

JOINT COMMITTEE:
Joint Legislative Auditing Committee

The Honorable Chairman David Simmons
Appropriations Subcommittee General Government
408 Senate Office Building
Tallahassee, Florida 32399

Dear Chairman Simmons,

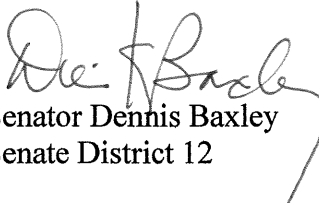
I respectfully request that you place SB 648 Employment Services for Persons with Disabilities on your next available agenda.

This bill provides that participants in adult or youth work experience programs operated by the Division of Blind Services and the Division of Vocational Rehabilitation are considered employees of the state for purposes or worker's compensation coverage.

This is a win win for both employers and for persons with disabilities.

I appreciate your favorable consideration.

Onward & Upward,


Senator Dennis Baxley
Senate District 12

DKB/dd

320 Senate Office Building, 404 South Monroe St, Tallahassee, Florida 32399-1100 • (850) 487-5012
Email: baxley.dennis@flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

THE FLORIDA SENATE
APPEARANCE RECORD

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

01-16-2018
Meeting Date

SB 648
Bill Number (if applicable)

Topic Workers Compensation

Amendment Barcode (if applicable)

Name Michael Daniels

Job Title Executive Director

Address 3333 W Pensacola Street

Phone 850-487-3278

Tallahassee FL 32304
City State Zip

Email mdaniels@fastinc.org

Speaking: For Against Information

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

Representing FAST

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

1/9/18

Meeting Date

648

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name SUSANNE HOMANT

Job Title PRESIDENT/CEO

Address 3320 THOMASVILLE RD. #200

Phone 850-224-4493

Street

TALLAHASSEE, FL 32308

City

State

Zip

Email SUSANNE@ABLETRUST.ORG

Speaking: For Against Information

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

Representing THE ABLE TRUST

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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THE FLORIDA SENATE
APPEARANCE RECORD

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

1-10-18

Meeting Date

SB 648

Bill Number (if applicable)

Topic Employment Services For Persons with Disabilities Amendment Barcode (if applicable)

Name Margaret S. Hooper

Job Title Public Policy Coordinator

Address 124 Marriott Drive #203

Phone 850-294-0052

Tallahassee FL 32311
City State Zip

Email MargaretD@FDDC.org

Speaking: For Against Information

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

Representing Florida Developmental Disabilities Council

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.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

648
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Richard L Cole Jr

Job Title Vice Chairman
BOWEN Memorial

Address 1720 ST JAMES Circle
Street

Phone 215 510-1516

The Villages FL 32167
City State Zip

Email rich@coleemb.org

Speaking: For Against Information

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

Representing The ASL Trust

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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1/10/2018
Meeting Date

648
Bill Number (if applicable)

Topic Vocational Rehabilitation

Amendment Barcode (if applicable)

Name Jim DeBeaugrine

Job Title Consultant

Address 111 N. Calhoun St.

Phone 850-508-8908

Tallahassee, FL 32301
City State Zip

Email jin-debeaugrine@
comcast.net

Speaking: For Against Information

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

Representing Florida Association of Centers for Independent Living

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

1/18
Meeting Date

SB 648
Bill Number (if applicable)
N/A
Amendment Barcode (if applicable)

Topic SB 648- Employment Services for Persons with Disabilities

Name Alexander Anderson

Title Deputy Director, Governmental Relations

Address 325 W. Gaines Street
Street
Tallahassee FL 32399
City State Zip

Phone 850-245-9633

Email Alexander.Anderson@fldoe.org

Speaking: For Against Information

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

Representing Department of Education

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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1-10-18

Meeting Date

SB 648

Bill Number (if applicable)

Topic SB 648 Workers' Compensation

Amendment Barcode (if applicable)

Name Lori Fahey

Job Title President/CEO, The Family Cafe, Inc

Address 820 East Park Avenue; Suite F-100 Phone 850-224-4670
Street

Tallahassee Florida 32301
City State Zip

Email Lfahey@familycafe.net

Speaking: For Against Information

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

Representing The Family Cafe, Inc.

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.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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1/10/18

Meeting Date

SB 648

Bill Number (if applicable)

Topic Employment Services for Persons with Disabilities

Amendment Barcode (if applicable)

Name Suzanne Sewell

Job Title President & CEO

Address 2425 Apalachee Parkway

Phone 850-942-3500

Street

Tallahassee FL 32308

City

State

Zip

Email ssewell@florida.org

Speaking: For Against Information

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

Representing FL Assoc. of Rehabilitation Facilities

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.

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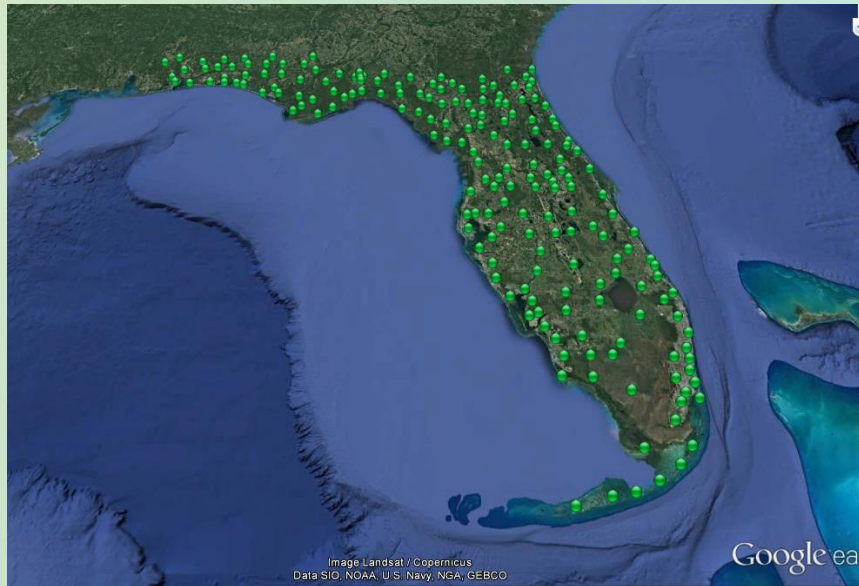


Senate Appropriations Subcommittee on General Government

January 10, 2018

Statewide Law Enforcement Radio System (SLERS)

- SLERS is a single, unified digital radio network for state law enforcement officers and other participating agencies throughout the state
 - Consists of 219 tower sites
 - Covers over 60,000 square miles (including 25 miles offshore)
 - More than 20,500 radios worn by officers and installed in patrol cars, boats, motorcycles, and aircraft throughout the state



- SLERS provides state law enforcement personnel with a shared radio system
- Effective interagency, interoperable communications, Mission Critical Push To Talk
- Coordinated communications with local public safety entities
- A viable solution to radio frequency congestion

- **The Joint Task Force on State Agency Law Enforcement Communications (JTF Board)**
 - Established in section 282.709, F.S.
 - Seven-member board comprised of representatives from Statewide Law Enforcement Agencies: DHSMV, FWC, FDLE, DBPR, DFS, DACS and FDC
 - Provides advice to DMS relating to member agency needs
 - FDLE and the Division of Emergency Management consult with DMS to enhance and improve the interoperability of the network
 - In 2014, recognized a need to upgrade the current system to a next-generation P25 Interoperable nonproprietary radio network

- Contract Term: 20 years
- Effective Date: September 28, 2000 through June 30, 2021
- Annual Appropriation: \$18,220,000
- Fees:
 - \$1 annual surcharge on initial and renewal registrations required for motor vehicles and vessels, in accordance with section 320.0802, F.S., and subsection 328.72(9), F.S.
 - \$3 traffic and criminal traffic violation surcharge, in accordance with subsection 318.18(17), F.S.

- Procurement goals:
 - Improved, more effective public safety communications
 - Greater operational resilience
 - Enhanced coverage with highly available and highly reliable land coverage
 - Comprehensive management and monitoring capabilities
 - Greater flexibility to take advantage of evolving technological capabilities

October 31, 2016	Procurement Posted
February 7, 2017	Reply Deadline
April through October 2017	Negotiations
February 27, 2018	Anticipated Notice of Intent to Award

THE FLORIDA SENATE
APPEARANCE RECORD

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

1-10-13

Meeting Date

Bill Number (if applicable)

Topic Statewide Law Enforcement Radio System

Amendment Barcode (if applicable)

Name Erin Rock

Job Title Secretary

Address 4050 Esplanade Way

Phone 850-414-1159

Street

Tallahassee

FL

32399

Email erin.rock@dms.
myflorida.com

City

State

Zip

Speaking: For Against Information

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

Representing Department of Management Services

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.

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S-001 (10/14/14)



Senate Appropriations Subcommittee on General Government

January 10, 2018

Erin Rock, Secretary

FirstNet

- An independent authority within the U.S. Department of Commerce
- Authorized by Congress under the Middle Class Tax Relief and Job Creation Act of 2012
- Its mission is to develop, build and operate the nationwide, broadband network with priority and preemption for first responders
- AT&T was awarded a 25-year, \$6.5 billion federal contract to build out the dedicated network

FloridaNet Executive Committee

The FloridaNet Executive Committee was created to oversee the efforts involved in assessing Florida's strategy for connecting with FirstNet.

The Committee works to achieve broad participation of the public safety community and its private sector partners in Florida to plan for FirstNet implementation, including design, operation, and governance.

- Required by the FirstNet/National Telecommunications and Information Administration (NTIA) State and Local Implementation Grant Program (SLIGP)
- Serves as a representative governance body to be responsive to the Governor
- Ensures a superior product through broad participation
- Includes participation from the private sector
- Executive meetings held beginning December 2013

Metropolitan Briefings

Metropolitan leadership briefings are provided by FirstNet and AT&T, and have held three events in Florida. The topics cover the goals and solutions offered by FirstNet and AT&T.

Three events held in the Miami-Dade, Orlando and Tampa metropolitan areas.

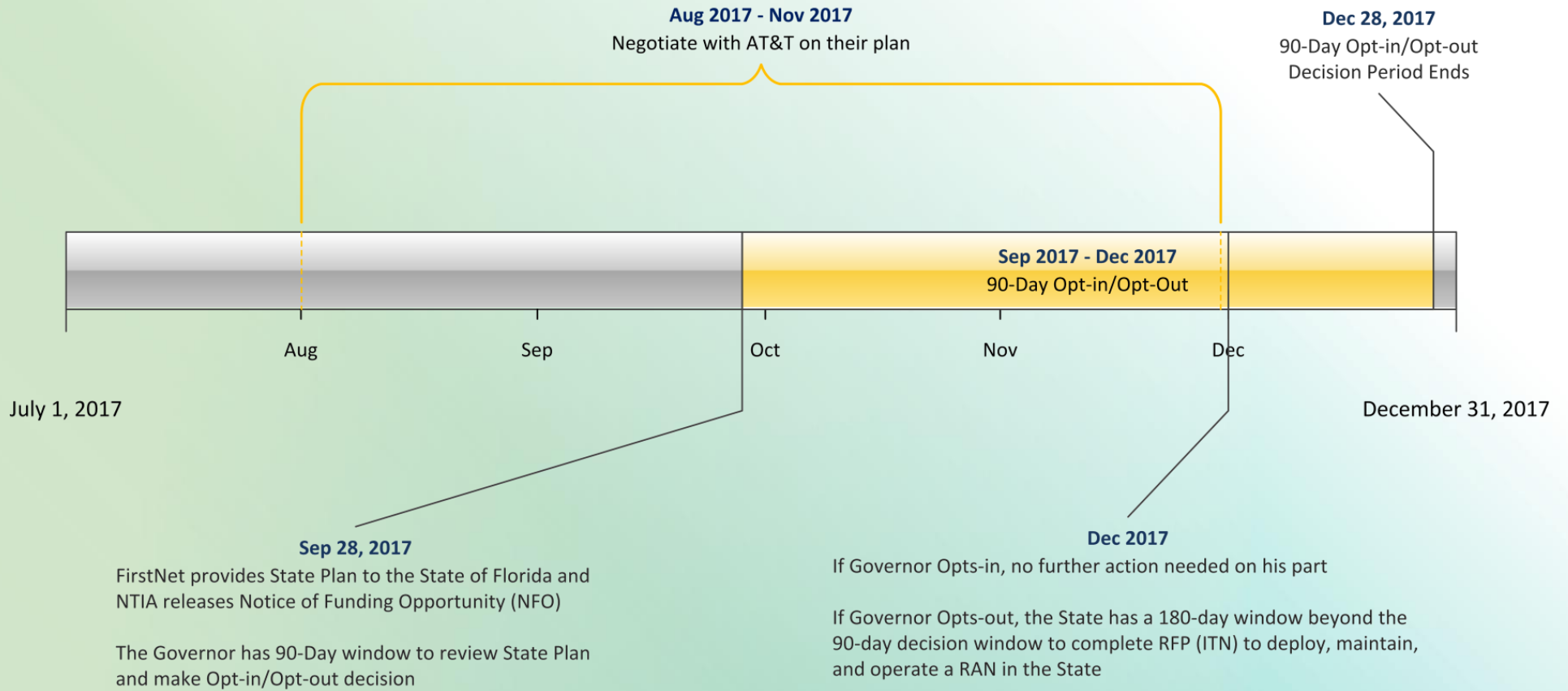
Stakeholder Workshops

Stakeholder workshops collected user requirements for the National Public Safety Broadband Network. Workshops were hosted by ISF, Inc., on behalf of DMS.

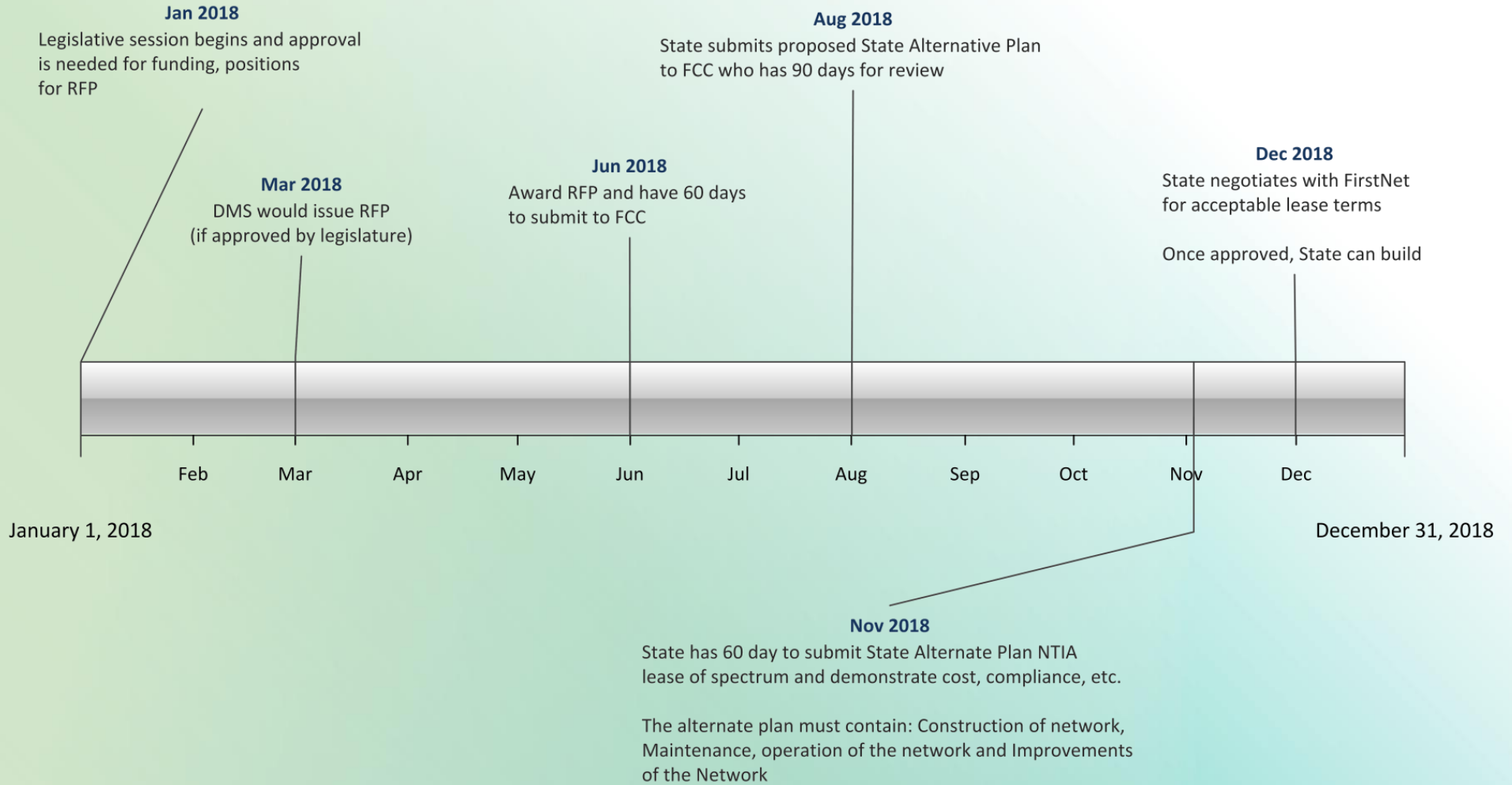
Workshops were held in 21 cities across Florida, with more than 540 participants, including:

- Law enforcement
- Fire
- Emergency medical services
- Private sector
- Secondary responders

- Under FirstNet’s enabling legislation (47 U.S.C §1442(e)(2)), the Governor must choose whether to participate in deployment of the network as proposed in the FirstNet State Plan (**Opt-In**) or initiate the process to assume responsibility for deploying, maintaining, operating, and improving a Radio Access Network in Florida that interoperates with the FirstNet network (**Opt-Out**).
- With an Opt-In election, FirstNet and AT&T will assume all responsibility and costs for deploying, operating, maintaining, and improving the FirstNet network in Florida. Florida will incur no risk, responsibility, or cost for deploying the FirstNet network. Further, an Opt-In election does not commit Florida’s public safety agencies to subscribe to the FirstNet network or buy devices.
- With an Opt-Out election, Florida assumes all responsibility and costs associated with deploying, operating, maintaining, and improving a FirstNet compatible Radio Access Network in Florida.



2018 Opt-Out Timeline



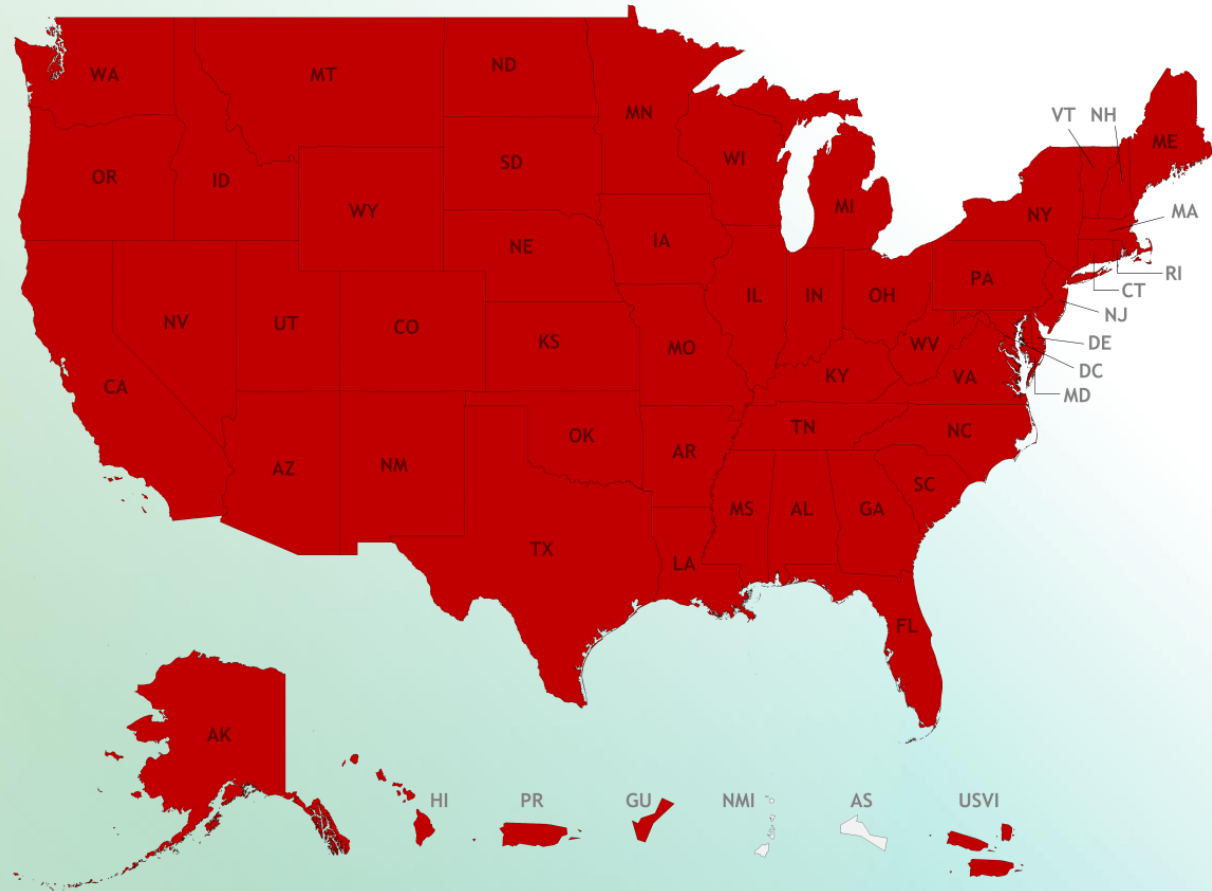
States & Territories

Opt-in Status

States: 50

Dist. of Columbia

Territories: 3



Opt-in (53 Total)

Alabama	Iowa	New Hampshire	Texas	Territories
Alaska	Kansas	New Jersey	Utah	Guam
Arizona	Kentucky	New Mexico	Vermont	Puerto Rico
Arkansas	Louisiana	New York	Virginia	U.S. Virgin Islands
California	Maine	North Carolina	Washington	
Colorado	Maryland	North Dakota	West Virginia	
Connecticut	Massachusetts	Ohio	Wisconsin	
Delaware	Michigan	Oklahoma	Wyoming	
Florida	Minnesota	Oregon		
Georgia	Mississippi	Pennsylvania	District of Columbia	
Hawaii	Missouri	Rhode Island		
Idaho	Montana	South Carolina		
Illinois	Nebraska	South Dakota		
Indiana	Nevada	Tennessee		

No Action

American Samoa
 Northern Mariana Islands

State and Local Implementation Grant Program (SLIGP) 2.0 :

- Development of policies and agreements to increase sharing of data between existing public safety systems across various agencies within the state or territory using the network.
- Activities to identify and plan for the transition of public safety applications, software, and databases.
- Identifying and documenting on-going coverage needs/gaps within the state.
- Activities to convene stakeholder outreach events to continue planning for implementation, as requested by FirstNet.

THE FLORIDA SENATE
APPEARANCE RECORD

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1-10-18

Meeting Date

Bill Number (if applicable)

Topic First Net

Amendment Barcode (if applicable)

Name Erin Rock

Job Title Secretary

Address 4050 Esplanade Way

Phone 850-414-1159

Street

Tallahassee FL 32399

City

State

Zip

Email erin.rock@dms.
myflorida.com

Speaking: For Against Information

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

Representing Department of Management Services

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)

CourtSmart Tag Report

Room: SB 301
Caption: Senate Appropriations Subcommittee on General Government

Case No.:

Type:
Judge:

Started: 1/10/2018 4:01:07 PM

Ends: 1/10/2018 5:17:21 PM

Length: 01:16:15

4:01:25 PM Sen. Simmons (Chair)
4:01:28 PM Roll Call
4:01:45 PM Sen. Simmons
4:03:31 PM Sen. Powell
4:05:05 PM Sen. Simmons
4:05:12 PM Sen. Campbell
4:05:24 PM Sen. Simmons
4:05:45 PM Sen. Broxson
4:05:52 PM Sen. Simmons
4:09:15 PM S 286
4:09:33 PM S 648
4:09:45 PM Sen. Baxley
4:11:21 PM Sen. Simmons
4:11:28 PM Sen. Broxson
4:11:50 PM Sen. Baxley
4:13:20 PM Sen. Simmons
4:14:07 PM Michael Daniels, Executive Director, FFAST (waives in support)
4:14:26 PM Suzanne Homajt, President/CEO, Able Trust (waives in support)
4:14:35 PM Margaret Hooper, Public Policy Coordinator, Florida Developmental Disabilities Council (waives in support)
4:14:57 PM Richard Cole Jr, Vice Chair/Board Member, The Able Trust (waives in support)
4:15:15 PM Jim DeBeaugrine, Consultant, Florida Association of Lenders for Independent Living (waives in support)
4:15:25 PM Alexander Anderson, Deputy Director, Department of Education (waives in support)
4:15:37 PM Lori Fahey, President, The Family Cafe (waives in support)
4:16:02 PM Suzanne Sewell, President, Florida Association of Rehabilitation Facilities (waives in support)
4:16:26 PM Sen. Torres
4:17:04 PM Sen. Simmons
4:17:07 PM Sen. Broxson
4:17:55 PM Sen. Simmons
4:18:05 PM Sen. Baxley
4:18:38 PM Sen. Simmons
4:20:07 PM TAB 3 - Update from Department of Management Services on SLERS
4:20:25 PM Erin Rock, Secretary, Department of Management Services
4:23:34 PM Sen. Simmons
4:23:55 PM S 286
4:24:17 PM Sen. Rouson
4:25:01 PM Sen. Simmons
4:25:42 PM Sen. Rouson
4:26:07 PM Sen. Simmons
4:26:52 PM TAB 3 continued
4:27:23 PM E. Rock
4:30:09 PM Sen. Simmons
4:30:14 PM Sen. Broxson
4:30:41 PM E. Rock
4:30:50 PM Sen. Simmons
4:31:25 PM TAB 4 - Update from Department of Management Services on FirstNet
4:31:30 PM Erin Rock, Secretary, Department of Management Services
4:33:40 PM Sen. Simmons
4:33:57 PM E. Rock
4:38:51 PM Sen. Simmons
4:39:04 PM Sen. Mayfield
4:39:28 PM E. Rock

4:40:19 PM	Sen. Mayfield
4:40:49 PM	E. Rock
4:41:49 PM	Sen. Mayfield
4:41:53 PM	E. Rock
4:41:58 PM	Sen. Mayfield
4:42:27 PM	Sen. Simmons
4:42:30 PM	Sen. Torres
4:43:32 PM	E. Rock
4:43:57 PM	Sen. Torres
4:44:17 PM	E. Rock
4:45:27 PM	Sen. Torres
4:46:22 PM	E. Rock
4:46:28 PM	Sen. Broxson
4:47:47 PM	E. Rock
4:48:15 PM	Sen. Simmons
4:48:44 PM	E. Rock
4:48:58 PM	Sen. Simmons
4:49:50 PM	E. Rock
4:51:48 PM	Sen. Simmons
4:53:23 PM	E. Rock
4:54:30 PM	Sen. Simmons
4:55:18 PM	E. Rock
4:55:44 PM	Sen. Simmons
4:56:41 PM	E. Rock
4:56:46 PM	Sen. Simmons
4:57:50 PM	E. Rock
4:58:25 PM	Sen. Gainer
4:59:03 PM	E. Rock
5:00:18 PM	Sen. Gainer
5:01:16 PM	Sen. Simmons
5:02:37 PM	E. Rock
5:03:22 PM	Sen. Simmons
5:04:07 PM	E. Rock
5:04:10 PM	Sen. Gainer
5:04:18 PM	E. Rock
5:04:38 PM	Sen. Broxson
5:05:46 PM	E. Rock
5:07:02 PM	Sen. Broxson
5:07:57 PM	E. Rock
5:08:42 PM	Sen. Simmons
5:09:01 PM	Sen. Mayfield
5:12:21 PM	Sen. Simmons
5:12:35 PM	Sen. Campbell
5:13:16 PM	Sen. Simmons
5:14:31 PM	Sen. Campbell
5:14:40 PM	Sen. Torres
5:16:18 PM	E. Rock
5:16:22 PM	Sen. Simmons
5:17:11 PM	Adjourned